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1927-1929

FOOD AND DRUGS ACT  
NOTICES OF JUDGMENT

Nos. 15001-16000

1927-1929

UNITED STATES  
DEPARTMENT OF AGRICULTURE



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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15001-15050

[Approved by the Secretary of Agriculture, Washington, D. C., September 28, 1927]

**15001. Misbranding of cottonseed meal, cottonseed cake, and cottonseed screenings. U. S. v. 40 Sacks of Cottonseed Meal, et al. Consent decrees of condemnation and forfeiture. Products released under bond.** (F. & D. Nos. 21418, 21421, 21436, 21437. I. S. Nos. 4134-x, 4135-x, 4144-x, 4163-x, 4167-x, 4168-x. S. Nos. C-5274, C-5276, C-5282, C-5283.)

On or about December 8, 11, 16, and 27, 1926, respectively, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 160 sacks of cottonseed meal, 780 sacks of cottonseed cake, and 860 sacks of cottonseed screenings, remaining in the original unbroken packages, in various lots, at Sylvan Grove, Phillipsburg, Holton, and Ness City, Kans., respectively, alleging that the articles had been shipped by the Planters Cottonseed Products Co., from Dallas, Tex., in various consignments, on or about November 5, 17, 22, and 23, 1926, respectively, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "Weight 100 Pounds Net, 'Chickasha Prime' Cottonseed Cake or Meal," or "Prime Cottonseed Cake," "Protein not less than 43 Per cent. Chickasha Cotton Oil Co. Kansas City, Mo."

It was alleged in the libels that the articles were misbranded, in that the statements "Guaranteed analysis protein not less than 43 per cent protein," "Analysis Protein not less than 43 per cent," or "Guaranteed analysis Protein not less than 43 per cent," as the case might be, borne on the labels, were false and misleading, in that the said statements represented that the articles contained 43 per cent of protein, whereas they contained a smaller quantity.

On or about January 8, 1927, the Planters Cottonseed Products Co., Dallas, Tex., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon the execution of bonds totaling \$2,000, conditioned in part that they not be sold or offered for sale in violation of law.

W. M. JARDINE, *Secretary of Agriculture.*

**15002. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21783. I. S. No. 10730-x. S. No. W-2109.)

On March 4, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Citrus City Growers Assoc., from Largo, Fla., on or about February 11, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Black Diamond \* \* \* John S. Taylor Co. South Florida Fruit."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.



It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted in whole or in part for normal grapefruit of good commercial quality.

On March 14, 1927, the Pacific Fruit & Produce Co., a corporation of Washington, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15003. Adulteration of walnuts. U. S. v. 300 Bags of Walnuts in Shell. Product adjudged adulterated and released under bond. (F. & D. No. 21332. I. S. No. 12622-x. S. No. W-2033.)**

On or about October 19, 1926, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 bags of walnuts in shell, remaining in the original unbroken packages at Los Angeles, Calif., consigned by R. M. Helfend, St. Johns Park, N. Y., alleging that the article had been shipped from St. Johns Park, N. Y., on or about September 25, 1926, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunshine Brand Soft Shell Walnuts."

It was alleged in the libel that the article was in violation of paragraph 6 of section 7 of the act, in that an examination showed it to be filthy, decomposed, and adulterated.

On February 16, 1927, R. M. Helfend, Los Angeles, Calif., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered, adjudging the product adulterated. It appearing to the court that the product had theretofore been delivered to the claimant under bond, and had been reconditioned and the inedible portions destroyed, it was ordered by the court that judgment of release be entered.

W. M. JARDINE, *Secretary of Agriculture.*

**15004. Misbranding of Dr. McMichaels' Allgland With Radium. U. S. v. 7 Gross Boxes of Dr. McMichaels' Allgland With Radium. Product adjudged misbranded and released under bond. (F. & D. No. 21163. I. S. No. 10898-x. S. No. W-1993.)**

On or about July 15, 1926, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on August 19, 1926, an amended libel praying seizure and condemnation of 7 gross boxes of Dr. McMichaels' Allgland With Radium, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Allfood Laboratories, from Denver, Colo., in part on or about January 28, 1926, and in part on or about January 30, 1926, and transported from the State of Colorado into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department of a sample of the article showed that the tablets contained 91 per cent of milk sugar, together with talc, a trace of nitrogenous organic matter, and a faint trace of radium.

It was alleged in substance in the libel that the article was misbranded, in that the following statements, regarding the curative and therapeutic effect of the said article, borne on the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "Allgland \* \* \* The Great Body Builder Makes You Feel Younger \* \* \* A Gland And Body Food Eliminating, Preventing And Correcting All Diseases Caused By Over Work, Nervous Or Run-down Conditions. Makes You A Healthy Man, Woman Or Child," (booklet) "in all weakened or rundown conditions of the Human Glands, Muscles and Nerves \* \* \* Now we are sure of the results in the relief or prevention of most all diseases. \* \* \* stimulates the nerves, muscles and glands. \* \* \* gives \* \* \* relief to all mankind, makes you Stronger, More Vigorous, More Peppy, \* \* \* They sure make stronger men and women. If You Are A Man and lack the Vigor, Energy and Push you should have; if

you feel older than you should; if suffering from any after effects of any diseases—flu, pneumonia, overwork or nervous breakdown—you will find relief in our Allgland Tablets; \* \* \* As a rejuvenator for man or woman \* \* \* If You Are A Woman you may suffer from some of the ills peculiar to your sex, such as weakness, irregularities, despondency or lack of energy. If so, you will find Allgland Tablets the true remedy for any female trouble. Also Fibroid Tumors, Inflammations, Enlargement of the Neck, Irregular Monthlies, Hot Flashes, feeling as though you would blow up, urinating too often, and, in fact, any and all diseases coming on at any time of life, old or young. Take one tablet every three hours until a feeling of relief, which is from two to four days, then a tablet three times a day kept up for a long time. Where there is or might develop a cancerous condition, write the medical director. Most women as they enter the fortieth year of age commence a change of gland action. This stopping of the action of some glands causes nature to start up more action in some other glands. Nature sometimes does not do this, for the reason that the right gland food is not supplied, or if supplied, is not in a form to be taken into the system, or from this same cause, may overwork some other gland, thereby creating a greater unbalance, so that the nervous diseases and others start. There will be hot flashes, nervousness or neurosis of all nerves. The mind gets weak but excitable. Fibroid tumors, etc., may start. If these patients will take Allgland steadily for a few years they will pass through this time of life without trouble. They will prevent as well as relieve all such troubles. If You have a daughter or son who is troubled with Pimples On The Face they will get relief by taking Allgland Tablets. \* \* \* The cause of this trouble is a Glandular Unbalance, showing that they are not developing as they should. The correcting of this trouble by Nature's Remedy, Allgland Tablets, does more good and prevents other troubles in later years. Lack of Development in Children \* \* \* A child that overgrows shows that the glandular system is unbalanced just as much as an undergrowth does, and the same treatment applies to both. If you are all run-down and worn out, take two tablets before meals and at bedtime. They will make you a stronger man or woman and will make you feel younger. \* \* \* As soon as you notice relief. \* \* \* Being a food to the body, nerves, blood and glands, it corrects diseased conditions. It has proved very successful in Diabetes, Bright's Disease, Hardened Blood Vessels, High Blood Pressure, getting old too soon, all Rundown Conditions from diseases or overwork or worry, Hot Flashes or any Female Trouble. The best thing for Goitre in young women, a real developer of children both in body and brain and a real rejuvenator. They make you a healthy, real man, woman and child. If anything ails you take them, they will do no harm."

On January 17, 1927, W. S. Townsend, Los Angeles, Calif., having appeared as claimant for the property, a decree was entered, adjudging the product misbranded. It appearing to the court that the product had been relabeled and made to comply with the law, it was ordered by the court that judgment of release be entered, that the bond theretofore filed be exonerated, and that the claimant pay the costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15005. Adulteration and misbranding of butter. U. S. v. 32 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21844. I. S. No. 16523-x. S. No. E-6057.)**

On April 7, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 32 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Twin Willows Creamery Co., Holloway, Minn., on or about March 26, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, or lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.



On April 11, 1927, the Twin Willow Creamery Co., Holloway, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

**15006. Adulteration and misbranding of butter. U. S. v. 39 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21161. I. S. No. 7294-x. S. No. E-5795.)**

On June 25, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 39 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Hanford Produce Co., Sioux City, Iowa, and transported from the State of Iowa into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pasteurized Creamery Butter."

Adulteration of the article was alleged in the libel for the reason that a substance low in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and in that the statement "Butter," borne on the label, was false and misleading and deceived and misled the purchaser.

On July 23, 1926, Armour & Co., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,250, conditioned in part that it not be sold or disposed of contrary to law, and until inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15007. Misbranding of Barnes worm emulsion. U. S. v. Certain Quantities of Barnes Worm Emulsion. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21648. S. No. E-5983.)**

On February 17, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of pint cans, 68 cases of quart cans, 86 cases of gallon cans, and fifteen 30-gallon barrels of Barnes Worm Emulsion, remaining in the original unbroken packages at Boston, Mass., alleging that the articles had been shipped by the Barnes Emulsion Co., from Gardena, Calif., and transported from the State of California into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department of a sample of the article showed that it consisted of approximately 95 per cent water, the remainder consisting of a small quantity of gum, a bland fatty oil, and a trace of volatile oil.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Can label) "Builds Health and Vitality by aiding digestion \* \* \* remedy for either mild or severe worm infestation of poultry (including tape, round and pin worms) \* \* \* effective builder of health and vitality in all poultry \* \* \* Baby chicks receiving it from the very start will seldom be affected with the usual bowel ailments which so often cause heavy mortality losses. \* \* \* Its health and vitality building qualities \* \* \* birds are enabled to properly digest and assimilate All of the nutriment in their feed—also



intestinal parasites. \* \* \* Fowls that are badly infested with worms, or that have paralysis, or that are in a badly run-down condition, should be separated from the rest if possible, and treated as noted under 'Severe Infection.' \* \* \* For worm control and to build better health, vitality, and growth in normal flocks \* \* \* For Pullets In Poor Condition \* \* \* in severe cases \* \* \* If bird is so weak it cannot swallow \* \* \* To control any possible surplus of worms, lessen the chance of diarrhea infection and increase growth, health and vitality \* \* \* Treatment For Severe Infection: When the fowls are heavily infested with worms, Worm Emulsion will control the surplus worms \* \* \* to remedy the evil as quickly as possible we suggest the following method of using Emulsion \* \* \* until there is a great improvement noted in the fowls \* \* \* it enables the birds to digest and assimilate all of the nutrition in their feed \* \* \* Worm Emulsion," (label) "The Worm Evil in Poultry \* \* \* Worms in Poultry Cause Many Ailments And Losses \* \* \* worms in the intestinal tract \* \* \* Worms \* \* \* tend in several ways to destroy the fowl's digestive juices and lubricants, causing poisoning by undigested food, irritation of the intestinal tract and a general sapping of the bird's vitality until it hasn't the strength to resist colds, cholera and like diseases. Where The Worms Come From Many folks wonder how their fowls can be infested with a surplus of worms \* \* \* all animals have worms. Rats, mice and all creeping things, as well as birds, carry these worms. \* \* \* Worm larvae is also found on weeds and grass and in the soil, especially on premises where the expelling method of ridding worms from poultry and domestic animals has been used. The expelled worms may be destroyed by the expelling process, but the expelled worm eggs or larvae remain alive \* \* \* at some time nearly all feeds become contaminated, not with live worms, but with ovum or eggs, \* \* \* as these worm eggs are ever being hatched within the intestinal tract of the birds, we must constantly control the young worms and keep down the devitalizing Surplus. A regular use of Barnes Worm Emulsion does this effectively and at the same time enables the fowls to keep in a high state of health and vitality. \* \* \* Its function is always to build vitality \* \* \* The Barnes Way Of Worm Control And What It Means If the old method of expelling worms accomplished good results it would be correct. But although the expelled worms may quickly die, if the worm eggs remain fertile \* \* \* re-infestation begins again; so what good is done by merely expelling the worm? The Barnes way of worm control is to increase and strengthen the digestive juices of the fowl so that these digestive juices may digest and assimilate the worms and worm eggs the same as they would any meaty substance, and in doing this the fowl retains the nutrition that the worm has taken to itself from the food in the intestinal tract of the bird \* \* \* the Surplus of worms is under control \* \* \* continued systematic control with the regular small dosage of one ounce of Barnes Worm Emulsion in each gallon of drinking water \* \* \* in so doing the fowl benefits from All the nutrition in its food for eggs, growth and health. This means less food with greater production and vitality."

On March 16, 1927, Joseph Breck & Sons Corp., Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, conditioned that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15008. Adulteration of canned salmon. U. S. v. 288 Cases of Red Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21060. I. S. No. 10827-x. S. No. W-1971.)**

On March 6, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 288 cases of red salmon, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by the J. M. McNeice Co., from New York, N. Y., on or about September 19, 1925, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On January 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15009. Adulteration and misbranding of black pepper. U. S. v. 40 Cases of Pepper. Consent decree of destruction entered. (F. & D. No. 21244. I. S. No. 3366-x. S. No. C-5208.)**

On August 23, 1926, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 40 cases of pepper, remaining in the original unbroken packages at La Crosse, Wis., alleging that the article had been shipped by the Biston Coffee Co., St. Louis, Mo., on or about March 16, 1926, and transported from the State of Missouri into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Retail package) "1½ Oz. Black Pepper Biston's Brand \* \* \* Imported and Packed By Biston Coffee Company, St. Louis, Missouri, U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance, ground rice and cayenne pepper, had been mixed and packed therewith so as to reduce, lower, and affect its quality and strength, and had been substituted wholly or in part for the said article, and in that ground rice and cayenne pepper had been mixed therewith in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement "Black Pepper," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article, to wit, black pepper.

On March 31, 1927, the Biston Coffee Co., St. Louis, Mo., having appeared and consented to the entry of a decree, judgment was entered, ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15010. Adulteration of canned sardines. U. S. v. 83 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21696. I. S. No. 15279-x. C. No. C-5109.)**

On March 1, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 83 cases of sardines, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Brawn Co., Plymouth, Mass., on or about October 21, 1926, and transported from the State of Massachusetts into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Casco Brand American Sardines In Cottonseed Oil The Brawn Company \* \* \* Plymouth, Mass. U. S. A."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 30, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15011. Adulteration of oranges. U. S. v. 372 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21759. I. S. No. 12476-x. S. No. C-5406.)**

On March 3, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of oranges, remaining in the original unbroken packages at Cincinnati, Ohio, consigned by the American Fruit Growers, Inc., Weirsdale, Fla., on or about February 23, 1927, alleging that the article had been shipped in interstate commerce from Weirsdale, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sungold Brand (AFG) Weirsdale Packing Co., Weirsdale, Fla."



Examination of the article by this department showed that it consisted in whole or in part of frost damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 8, 1927, the American Fruit Growers, Inc., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged, under the supervision of this department, by removing all decomposed oranges.

W. M. JARDINE, *Secretary of Agriculture.*

**15012. Adulteration of grapefruit. U. S. v. 303 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21780. I. S. No. 12482-x. S. No. C-5415.)**

On March 16, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 303 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned about March 11, 1927, alleging that the article had been shipped from the Leesburg Packing House, Leesburg, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Leesburg Packing House Griffin Leesburg Florida Packed by Fussell & Co., Leesburg, Fla. \* \* \* Grapefruit." The remainder of the said article was labeled in part: "G. W. F. Brand Blue Goose A. F. G. Packed by G. W. Franklin Leesburg, Fla. Marketed by American Fruit Growers Inc., Orlando, Fla. \* \* \* Grapefruit."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15013. Adulteration of oranges. U. S. v. 336 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21812. I. S. No. 12487-x. S. No. C-5423.)**

On March 22, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 336 boxes of oranges, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Standard Growers Exchange, Arcadia, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Trade Mark Garden Of Eden Florida's Finest The World's Best Florida Oranges & Grapefruit Standard Growers Exchange, Orlando, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 24, 1927, the Sanzone-Palmisano Co. having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15014. Adulteration of oranges. U. S. v. 266 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21798. I. S. No. 16203-x. S. No. E-5867.)**

On March 17, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation



of 266 boxes of oranges, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Fruit Distributors, Inc., from Bartow, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Florida Citrus Fruits Duke Polk County."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, which had been substituted wholly or in part for oranges.

On April 22, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15015. Misbranding of Syrup Dublanc. U. S. v. 200 Bottles of Syrup Dublanc. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21636. I. S. No. 14513-x. S. No. E-5973.)**

On or about February 16, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 bottles of Syrup Dublanc, at Santurce, P. R., alleging that the article was being offered for sale and sold in the Territory of Porto Rico by the National Drug Co., Santurce, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department of a sample of the article showed that it was a solution containing phosphates, lime, iron, iodides, benzoate of soda, and sugar.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton label, English and Spanish) "Recommended in the treatment of Anemia \* \* \* Rickets, Lymphatic and Scrofulosis Diathesis, Dentition, Nervous Wasting, Convalescence, General Debility caused by Excessive Work or Deficient Nutrition. Useful also in Irregularities of Menstruation due to Deficiency of the Blood," (Spanish translated) "The Ideal Reconstituent \* \* \* Recommended \* \* \* in all cases in which is indicated a good reconstituent, for the blood, the bones, and the nerves. The best Reconstituent For The Blood, The Bones And The Nerves," (circular, Spanish translated) "The Ideal Reconstituent. Power reconstituent \* \* \* for the treatment of anemia, \* \* \* irregularity of menstruation caused by impoverishment of the blood, rachitism, emaciation, lymphatism, dentition, scrofulous diathesis, \* \* \* convalescence, general debility caused by excess of work or lack of nutrition and in all of those cases in which a good reconstituent is indicated. Phosphate of calcium is of good utility when the organism is lacking in it. It having been observed that its use in animals greatly assists the growth of the bones. It is also useful for rachitism and fractures where the bone is slow in uniting as well as for some cases of phthisis and scrofula. It is to be noted, however, that the salts of calcium are principally useful for incipient cases of tuberculosis \* \* \* Lactophosphate of calcium is useful in dental caries especially when it occurs in pregnant women and is also beneficial in the anemia of this class of patients \* \* \* the phosphorous also acts as a stimulant for the growth of the bones. Lactophosphate of calcium \* \* \* is \* \* \* for the treatment of hemorrhages, rachitism, scrofula and other diseases in which the salts of calcium are indicated \* \* \* the iron \* \* \* are \* \* \* useful for post-hemorrhagic anemia or those of convalescent persons for scrofulous, rheumatic and syphilitic persons \* \* \* iodide of iron \* \* \* is \* \* \* for chronic types of tuberculosis especially scrofula in children."

On March 11, 1927, Rafael Robert, Santurce, P. R., having appeared as claimant for the property, and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$200, conditioned in part that it not be sold or otherwise disposed of until properly labeled as required by law.

W. M. JARDINE, *Secretary of Agriculture.*

**15016. Adulteration of tangerines. U. S. v. 219 One-Half Straps of Tangerines. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21756. I. S. No. 3862-x. S. No. C-5347.)

On or about February 26, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 219 one-half straps of tangerines, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Lee and Edwards of Thonotosassa, Fla., from Tampa, Fla., on or about February 22, 1927, and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lee & Edwards, Thonotosassa, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a decomposed vegetable substance.

On March 2, 1927, Lee and Edwards, Thonotosassa, Fla., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be graded and packed so as to eliminate all decomposed fruit, and not be sold or disposed of until inspected by a representative of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15017. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21773. I. S. No. 12478-x. S. No. C-5409.)

On March 11, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned by W. E. Lee, Thonotosassa, Fla., on or about March 4, 1927, alleging that the article had been transported in interstate commerce from Thonotosassa, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "The Yellow Kid Brand W. E. Lee \* \* \* Plant City, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 12, 1927, the Florida Citrus Exchange, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15018. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21774. I. S. No. 12479-x. S. No. C-5410.)

On March 11, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Polk County Citrus Exchange, Alturas, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Alturas Brand Seald-sweet Grapefruit \* \* \* Florida Citrus Exchange Alturas Citrus Growers Assn., Alturas, Polk County, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.



On March 14, 1927, the Florida Citrus Exchange, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15019. Adulteration of grapefruit. U. S. v. 300 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21781. I. S. No. 12483-x. S. No. C-5416.)**

On March 16, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned about March 11, 1927, alleging that the article had been shipped by the Leesburg Packing House, Leesburg, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled: (Wrapper) "Grapefruit G. F. W. Leesburg, Fla." The remainder of the said article was labeled: (Wrapper) "Leesburg Packing House, Leesburg, Fla., Florida Grapefruit Packed by Fussell & Co."

Examination of the article by this department showed that it consisted in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable matter.

On March 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15020. Adulteration of grapefruit. U. S. v. 336 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21814. I. S. No. 12488-x. S. No. C-5427.)**

On March 22, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 336 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Polk County Citrus Subexchange, Avon Park, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box:) "Lightning Brand Pittsburgh Florida Fruit Growers Assn Avon Park Florida," (wrapper) "Florida Grapefruit Florida Citrus Fruit Exchange."

Examination of the article by this department showed it to consist in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture, was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15021. Adulteration and misbranding of alfalfa leaves and blossoms. U. S. v. 300 Sacks of Alfalfa Leaves and Blossoms. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21789. I. S. No. 170009-x. S. No. W-2129.)**

On April 1, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of alfalfa leaves and blossoms, remaining in the original unbroken sacks at Portland, Oreg., alleging that the article had been shipped by A. W. Scott Co., from San Francisco, Calif., on or about March 23, 1927, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (sacks) "All Over The World Atlas Brand Packed by the A. W. Scott Co., San Francisco, U. S. A., (tag) "Pure Alfalfa Leaves And Blossoms Poultry Greens Protein 21% Min. \* \* \* Fibre 12.50% Max."



Adulteration of the article was alleged in the libel for the reason that a substance, excessive stem material, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for normal alfalfa leaves and blossoms, poultry greens of good commercial quality, and in that an inferior constituent, stem material, had been wholly or in part added thereto.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and in that the statements, "Alfalfa Leaves and Blossoms \* \* \* Protein 21% Min. Fibre 12.50% Max," borne on the label, were false and misleading and deceived and misled the purchaser.

On April 11, 1927, the A. W. Scott Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15022. Adulteration and misbranding of feeds. U. S. v. 120 Sacks of Feed. Decree of condemnation entered. Product released under bond. (F. & D. No. 21667. I. S. Nos. 15455-x, 15456-x. S. No. C-5332.)**

On or about February 26, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 120 sacks of feed, at Birmingham, Ala., alleging that the article had been shipped by the Sturges Co., from Meridian, Miss., about February 3, 1927, and transported from the State of Mississippi into the State of Alabama, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance low in protein had been mixed and packed with and substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statements "100 Pounds Net Bar Nun Dairy Feed Manufactured by The Sturges Company Meridian, Miss. Guaranteed Analysis: Protein, not less than 18%," with respect to a portion of the product, and "100 Pounds Net Big 6 Horse and Mule Feed Manufactured by The Sturges Company Meridian, Miss. Guaranteed Analysis: Crude Protein, not less than 11.30%," with respect to the remainder thereof, borne on the respective labels, were false and misleading and deceived and misled the purchaser.

On March 16, 1927, the Sturges Co., Meridian, Miss., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$500, and it was further ordered that it be shipped to Meridian, Miss., to be reworked and reconditioned, and that it not be sold or otherwise disposed of until all Government requirements had been complied with.

W. M. JARDINE, *Secretary of Agriculture.*

**15023. Misbranding of cottonseed cake. U. S. v. Landa Milling Co. Plea of nolo contendere. Fine, \$50. (F. & D. No. 19766. I. S. No. 8427-x.)**

On May 24, 1926, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Landa Milling Co., a corporation, New Braunfels, Tex., alleging shipment by said company, under the name of the Landa Cotton Oil Co., on or about August 27, 1925, from the State of Texas into the State of Kansas, of a quantity of cotton-seed cake which was misbranded. The article was labeled in part: (Tag) "This package contains 100 pounds (Net) \* \* \* Landa Cotton Oil Co., New Braunfels, Texas."

Examination by this department of 55 unopened sacks of the article showed an average net weight of 94.63 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "This package contains 100 pounds (net)," borne on the tag attached to each of the sacks containing the said article, was false

and misleading, in that the said statement represented that the sacks each contained 100 pounds of the product, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the sacks each contained 100 pounds of the product, whereas they did not but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 18, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

**15024. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter, Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21843. I. S. No. 16180-x. S. No. E-6054.)**

On March 31, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Land O'Lakes Creameries, Inc., from Peoria, Ill., on or about March 21, 1927, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On April 15, 1927, John Christiansen, Slayton, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$350, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

**15025. Adulteration of dried figs. U. S. v. 87 Boxes of Adulterated Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21707. I. S. No. 10728-x. S. No. W-2103.)**

On March 7, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 87 boxes of dried figs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the S. F. Warehouse Co., from San Francisco, Calif., on or about November 5, 1926, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Calimyrna Figs. Packed and Guaranteed by Melville B. Levi. \* \* \* Clovis, California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and in that filthy, decomposed, and putrid dried figs had been substituted for normal dried figs of good commercial quality.

On April 6, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15026. Misbranding of Zendejas medicine. U. S. v. 9-5/6 Dozen Bottles and 12 Dozen Bottles of Zendejas medicine. Decrees of condemnation and forfeiture. Portion of product destroyed. Remainder released under bond to be relabeled. (F. & D. Nos. 21623, 21652. I. S. No. 11121-x. S. Nos. E-3280, E-5949.)**

On February 8 and 25, 1927, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agri-



culture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 21½ dozen bottles of Zendejas medicine, at New York, N. Y., alleging that the article had been shipped from Los Angeles, Calif., in part by P. Zendejas, January 11, 1927, and in part by the Zendejas Products Co., February 7, 1927, and that it had been transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The labels on the cartons and bottles containing the article, and the accompanying circulars, bore statements regarding its curative and therapeutic effects.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, extracts of plant drugs, including sarsaparilla and a laxative drug, and water, with a trace of formaldehyde.

It was alleged in substance in the libels that the article was misbranded, in that certain statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1927, the Zendejas Products Co., Los Angeles, Calif., having appeared as claimant for 12 dozen bottles of the product seized under one of the above libels, and having admitted the allegations of the said libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be relabeled under the supervision of this department, and be disposed of only in compliance with the law. On February 21, 1927, no claimant appearing for the 31 bottles of the product seized under the other libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 31 bottles of the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15027. Adulteration of frozen mixed eggs. U. S. v. 94 Cans of Frozen Mixed Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21809. I. S. No. 2299-x. S. No. C-5443.)**

On or about April 9, 1927, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 94 cans of frozen mixed eggs, at Memphis, Tenn., alleging that the article had been shipped by the Armour Creameries from Springfield, Mo., on or about January 4, 1927, and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On April 15, 1927, Morris & Co. having appeared as claimant for the property, and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15028. Adulteration of prunes. U. S. v. 530 Boxes, et al., of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21666. I. S. Nos. 14972-x, 14973-x. S. No. E-5995.)**

On March 1, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3,777 boxes of prunes, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by M. D. Hopper, from Hanford, Calif., in various consignments, on or about December 30 and 31, 1926, and January 3, 1927, respectively, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lucerne Brand French Prunes, M. D. Hopper, Hanford, Calif."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.



On April 16, 1927, the time of the claimants to file answer having expired, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the claimants pay the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

**15029. Adulteration of oysters. U. S. v. Booth Fisheries Co. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 21579. I. S. Nos. 7381-x, 7382-x.)**

On March 30, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Booth Fisheries Co., a corporation, trading at Baltimore, Md., alleging shipment by said company in violation of the food and drugs act on or about October 26, 1926, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part: "Fresh Famous Booth Sea Foods Oysters \* \* \* Chicago, Ill."

It was alleged in the information that the article was adulterated, in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for oysters, which the said article purported to be.

On April 7, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15030. Adulteration of chestnuts. U. S. v. 11 Boxes of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21525. I. S. No. 16009-x. S. No. E-5931.)**

On or about January 19, 1927, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 boxes of chestnuts, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by De Rosa Bros., Brooklyn, N. Y., on or about December 4, 1926, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 18, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15031. Adulteration of apples. U. S. v. 756 Boxes of Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21344. I. S. No. 5785-x. S. No. E-5887.)**

On October 26, 1926, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 756 boxes of apples, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by A. L. Pettigrew, from Neppel, Wash., on or about October 9, 1926, and transported from the State of Washington into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Northwest Brand Apples Fancy Delicious A. L. Pettigrew Grower."

It was alleged in the libel that the article was adulterated, in that it contained an added poisonous ingredient, arsenic trioxide, which might have rendered it injurious to health.

On October 30, 1926, Gwin, White & Prince, Inc., Pittsburgh, Pa., claimant, having admitted the allegations of the libel and consented to the condemnation and forfeiture of the product, a decree was entered, ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, conditioned in part that it not be disposed of in violation of law, and it was further ordered that the product be reconditioned under the supervision of this department and not be sold until inspected and passed by a representative of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15032. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21643. I. S. No. 15421-x. S. No. C-5324.)**

On February 14, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Zona, La., alleging that the article had been shipped by the Betta Seed Mill, Inc., Jackson, Miss., on or about February 9, 1927, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Choice Cotton Seed Meal Manufactured By The Buckeye Cotton Oil Company Jackson, Mississippi. Guaranteed Analysis: \* \* \* Crude Protein, not less than 41.12 Per Cent."

It was alleged in the libel that the article was misbranded, in that the statement borne on the label regarding the said article, "Crude Protein, not less than 41.12 Per Cent," was false and misleading and deceived and misled the purchaser.

On February 24, 1927, the Buckeye Cotton Oil Co., Jackson, Miss., having appeared as claimant for the property, and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$680, conditioned in part that it be relabeled to conform with the Government analysis.

W. M. JARDINE, *Secretary of Agriculture.*

**15033. Adulteration of oranges. U. S. v. 396 Boxes and 396 Boxes of Oranges. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21751, 21752. I. S. Nos. 16516-x, 16517-x. S. Nos. E-6003, E-6004.)**

On March 2 and 4, 1927, respectively, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 792 boxes of oranges, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by S. J. Sligh & Co., Orlando, Fla., on or about February 22, 1927, and transported from the State of Florida into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Elk \* \* \* Fancy Florida Oranges S. J. Sligh & Co. Orlando, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 11, 1927, S. J. Sligh & Co., Orlando, Fla., claimant, having admitted the allegations of the libels, and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs of the proceedings and the execution of bonds totaling \$3,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15034. Adulteration of oysters. U. S. v. T. Eugene Travers (Planters Packing Co.). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 21576. I. S. No. 7779-x.)**

On March 30, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against T. Eugene Travers, trading as Planters Packing Co., Baltimore, Md., alleging shipment by said defendant, in violation of the food and drugs act, on or about October 26, 1926, from the State of Maryland into the State of Ohio, of a quantity of oysters which were adulterated. The article was labeled in part: "Stag Brand Oysters Packed By Planters Packing Co., Baltimore, Md."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters, which the said article purported to be,



and in that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted from the article.

On April 11, 1927, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15035. Adulteration of walnuts. U. S. v. 299 Bags of Walnuts. Decree entered, adjudging product adulterated and ordering its release under bond.** (F. & D. Nos. 21347, 21348. I. S. Nos. 12588-x, 12589-x, 12590-x. S. No. W-2035.)

On October 27, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 299 bags of walnuts, remaining in the original unbroken packages at Denver, Colo., consigned by R. M. Helfend, New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about September 25, 1926, and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On November 23, 1926, William S. Silverberg having appeared as claimant for the property, a decree was entered, adjudging the product adulterated, and it was ordered by the court that the said product be released to the claimant upon the execution of a bond in the sum of \$2,500, conditioned in part that it be salvaged under the supervision of this department, the portion found fit for food and marketable be retained by the claimant, and the unfit portion be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15036. Adulteration of grapefruit. U. S. v. 358 Boxes of Grapefruit. Consent decree of condemnation entered. Product released under bond.** (F. & D. No. 21897. I. S. No. 10712-x. S. No. W-2133.)

On March 30, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 358 boxes of grapefruit, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Florida Citrus Exchange, from Luther Station, Fla., March 21, 1927, and transported from the State of Florida into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Grapefruit Alturas Brand Sealdsweet Florida Citrus Exchange Alturas Growers Association, Alturas \* \* \* Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 4, 1927, the Florida Citrus Exchange having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$750, conditioned in part that it be reconditioned to conform with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15037. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21728. I. S. No. 13897-x. S. No. C-5333.)

On or about February 24, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by Gentile Bros. & Co., from Bowling Green, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Rex Brand" or "Florida Arms Brand" "Gentile Bros. Co., Orlando, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.



It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed substance.

On February 26, 1927, Gentile Bros. & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged or relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15038. Adulteration of grapefruit. U. S. v. 360 Boxes and 140 Boxes of Grapefruit. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21729, 21730. I. S. Nos. 13898-x, 13899-x. S. Nos. C-5336, C-5337.)**

On February 26, 1927, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 500 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned by Fugazzi Bros., in part on or about February 18, 1927, from Clearwater, Fla., and in part on or about February 19, 1927, from Tampa, Fla., alleging that the article had been shipped in interstate commerce from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. A portion of the product was labeled in part: "Florida Health Fruit \* \* \* Fugazzi Bros. Main Office Clearwater—Valrico, Florida." The remainder of the said product was labeled in part: "Selected Citrus Florida Fruit Carefully Packed."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On February 26, 1927, Fugazzi Bros., Clearwater, Fla., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$500, conditioned in part that it be salvaged or relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15039. Adulteration of tangerines. U. S. v. 92 Boxes of Tangerines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21769. I. S. No. 5912-x. S. No. E-5968.)**

On or about February 28, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 92 boxes of tangerines, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Lakeland Co., from Lakeland, Fla., on or about February 14, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lapaco Brand. The Lakeland Company, Lakeland, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 27, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15040. Adulteration of tangerines. U. S. v. 90 Half Cases and 37 Half Cases of Tangerines. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21817, 21836. I. S. Nos. 14731-x, 14732-x. S. Nos. E-6019, E-6020.)**

On March 25 and 31, 1927, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 127 half cases of tangerines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sunny

South Packing Co., Arcadia, Fla., alleging that the article had been shipped from Arcadia, Fla., in two consignments, on or about March 19 and 25, 1927, respectively, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Wrapper) "Sunny South Packing Co. Arcadia, Florida. Arcadia Ace." The remainder of the said article was labeled in part: (Wrapper): "Selected Citrus Florida Fruit Carefully Packed."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance. Adulteration was alleged with respect to a portion of the product for the further reason that a substance, frozen tangerines, had been substituted wholly or in part for the said article.

On April 16 and 18, 1927, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15041. Adulteration of grapefruit. U. S. v. 166 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21768. I. S. No. 5911-x. S. No. E-5967.)**

On or about February 26, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 166 boxes of grapefruit, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Joseph Gentile Co., from Brooksville, Fla., on or about February 21, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pals Orange and Grapefruit Gentile Bros. Co., Shippers, Orlando, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 12, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15042. Adulteration of grapefruit. U. S. v. 420 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21755. I. S. No. 12696-x. S. No. W-2108.)**

On March 2, 1927, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 420 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by the Lakeland Co., Lakeland, Fla., alleging that the article had been shipped from Lakeland, Fla., on or about February 22, 1927, and transported from the State of Florida into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lapaco The Lakeland Company, Lakeland, Fla."

Examination of the article by this department showed that it consisted wholly or in part of frost-damaged oranges.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, to wit, decomposed or frozen grapefruit.

On March 4, 1927, the Fruit Distributors, Inc., Jacksonville, Fla., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be examined under the supervision of this department and all decomposed or frozen fruit be destroyed.

W. M. JARDINE, *Secretary of Agriculture.*



**15043. Adulteration of oranges. U. S. v. 300 Field Crates of Oranges. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21831. I. S. No. 15491-x. S. No. C-5438.)

On March 25, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 field crates of oranges, alleging that the article had been shipped by A. H. Pape, from Bartow, Fla., about March 14, 1927, and transported from the State of Florida into the State of Alabama, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted wholly or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a decomposed vegetable substance.

On April 14, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15044. Adulteration of oranges. U. S. v. 360 Boxes of Oranges. Decree entered releasing product under bond.** (F. & D. No. 21764. I. S. No. 15467-x. S. No. C-5345.)

On or about February 25, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of oranges, at Birmingham, Ala., alleging that the article had been shipped by W. E. Lee, Thonotosassa, Fla., about February 21, 1927, and transported from the State of Florida into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "Seal Sweet Yellow Kid Brand, W. E. Lee \* \* \* Plant City, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a decomposed vegetable substance.

On March 1, 1927, the Florida Citrus Exchange, Tampa, Fla., having appeared as claimant for the property, and it having been shown to the court that only a part of the product was decomposed, a decree was entered, ordering that the said product be delivered to the claimant for the purpose of salvaging by removing and destroying the unfit fruit, upon the execution of a bond in the sum of \$1,000, conditioned upon the carrying out of the terms of the decree, and that the portion pronounced by a representative of this department as fit for human consumption be released.

W. M. JARDINE, *Secretary of Agriculture.*

**15045. Adulteration of oranges. U. S. v. 201 Boxes of Oranges. Decree entered releasing product under bond.** (F. & D. No. 21763. I. S. No. 15465-x. S. No. C-5344.)

On or about February 24, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 201 boxes of oranges, at Birmingham, Ala., alleging that the article had been shipped by R. W. Burch, from Plant City, Fla., about February 18, 1927, and transported from the State of Florida into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Golden West Coast Brand \* \* \* R. W. Burch Sales Office, Plant City, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a decomposed vegetable substance.

On February 25, 1927, E. C. Adams & Co., Birmingham, Ala., having appeared as claimant for the property, and the court having found that only a part of the product was decomposed, a decree was entered, ordering that the said product be delivered to the claimant for the purpose of salvaging the fruit by removing and destroying the unfit portion, upon the execution of a bond in the sum of \$500, conditioned upon the carrying out of the terms of the decree,



and that the portion pronounced by a representative of this department as fit for human consumption be released.

W. M. JARDINE, *Secretary of Agriculture.*

**15046. Adulteration of oranges. U. S. v. 372 Cases of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21806. I. S. No. 16588-x. S. No. E-6048.)**

On March 22, 1927, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 cases of oranges, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by J. E. Montgomery, from Blanton, Fla., on or about March 3, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "J. E. Montgomery Inc., Tampa, Fla. Oranges."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 30, 1927, E. C. Mitchell, Wilkes-Barre, Pa., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it would not be sold or otherwise disposed of until examined, approved, and released by this department, and that the portion not released be destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15047. Adulteration of oranges. U. S. v. 360 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21848. I. S. No. 16592-x. S. No. E-6051.)**

On March 28, 1927, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of oranges, at Scranton, Pa., alleging that the article had been shipped by the Weirsdale Packing Co., Weirsdale, Fla., on or about March 19, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blue Goose Suncrest Brand Oranges, marketed by American Fruit Growers, Inc., Orlando, Fla. Packed by Weirsdale Packing Co., Weirsdale, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 30, 1927, Hugh L. Hughes and Willard K. Davies, Scranton, Pa., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it not be sold or otherwise disposed of until examined, approved, and released by this department, and that the portion not released be destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15048. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Default decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21803. I. S. No. 16430-x. S. No. E-5963.)**

On March 19, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of grapefruit, remaining in the original unbroken packages at Boston, Mass., consigned about March 11, 1927, alleging that the article had been shipped by the Growers Sales Co., Oakhurst, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted in whole or in part for the said article, and in that it consisted in whole or in part of a decomposed vegetable substance.

On April 8, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15049. Adulteration of grapefruit. U. S. v. 336 Boxes of Grapefruit. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21785. I. S. No. 10732-x. S. No. W-2116.)**

On or about March 10, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 336 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Lakeland Co., from Lakeland, Fla., on or about February 13, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lapaco The Lakeland Company, Lakeland, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted for normal grapefruit of good commercial quality.

During the month of April, 1927, the Oregon-Washington Railroad & Navigation Co. having entered a claim against the property for unpaid freight and demurrage charges, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15050. Adulteration of grapefruit. U. S. v. 372 Boxes of Adulterated Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21784. I. S. No. 10731-x. S. No. W-2115.)**

On or about March 10, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Chester C. Fosgate Co., from Forest City, Fla., on or about February 23, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fidelity Brand. Chester C. Fosgate Co., Orlando, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of an inedible product and in that an inedible product had been substituted for normal grapefruit of good commercial quality.

On March 14, 1927, the Chester C. Fosgate Co., Orlando, Fla., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

#### 15051-15075

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1927]

**15051. Misbranding of Zendejas Medicine. U. S. v. 125 Bottles of Zendejas Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21638. I. S. No. 15602-x. S. No. C-5320.)**

On February 17, 1927, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 125 bottles of Zendejas Medicine, remaining in the original unbroken packages at Indiana Harbor, Ind., alleging that the article had been shipped by P. Zendejas, Los Angeles, Calif., January 13, 1927, and transported from the State of California into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Blood Purifier \* \* \* For All Blood Disorders Impaired Circulation Rheumatism—Skin Troubles," (similar statements in foreign languages); (bottle label) "Blood Purifier For All Blood Disorders Impaired Circulation Rheumatism—Skin Troubles;" (circular) "Treatment If the disease does not yield to the treatment the dose may be gradually increased up to the maximum of tolerance of your organism \* \* \* Persons desiring only to tonify their system, should take smaller doses than indicated here;" (Spanish translated) "In the Beginning of the Treatment Some Persons May find that Their Symptoms Apparently Increase. This is the Result of the Medicine in Removing the Disease and Therefore One Should Not be Alarmed."

Analysis by this department showed that the article consisted essentially of potassium iodide, a laxative plant drug extract, sarsaparilla, a trace of resin, and water, preserved with formaldehyde.

It was alleged in the libel that the article was misbranded, in that the statements above quoted regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed in the said statements.

On April 12, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15052. Misbranding of Chi-Ches-Ters Diamond Brand pills. U. S. v. 12½ Dozen Small Size Packages of Chi-Ches-Ters Diamond Brand, New Style Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13270. I. S. No. 6304-t. S. No. E-2508.)**

On August 18, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12½ dozen packages of Chi-Ches-Ters Diamond Brand pills, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Williams Manufacturing Co., from Cleveland, Ohio, on or about June 17, 1920, and transported from the State of Ohio into the

State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Chi-Ches-Ters Diamond Brand, New Style Pills;" (booklet) "Relief for Ladies \* \* \* a \* \* \* Remedy for Functional Derangements of the Female Organism \* \* \* For Amenorrhoea \* \* \* Dysmenorrhoea."

Analysis by this department showed that the pills contained iron sulphate and vegetable drugs, including aloë.

It was alleged in the libel that the article was misbranded, in that the above-quoted statements appearing in the said booklets regarding the curative and therapeutic effects of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 11, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15053. Misbranding of Chi-Ches-Ters Diamond Brand pills. U. S. v. 23 Dozen, et al., Packages of Chi-Ches-Ters, Diamond Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13267, 13268, 13269, 15601, 15626. I. S. Nos. 6327-t, 6328-t, 7453-t, 7457-t. S. Nos. E-2493, E-2494, E-2507, E-3641, E-3653.)**

On August 18, 1920, and November 10 and 23, 1921, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 72½ dozen packages of Chi-Ches-Ters Diamond Brand pills, remaining in the original unbroken packages at New York, N. Y., consigned by the Chichester Chemical Co., from Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., in various consignments, between the approximate dates of May 12, 1920, and October 31, 1921, and had been transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (booklet) "Relief For Ladies \* \* \* a \* \* \* Remedy for Functional Derangements of the Female \* \* \* Organism \* \* \* For Amenorrhoea \* \* \* Dysmenorrhoea." The remaining 18 packages of the article were contained in cartons bearing the statements: "Chi-Ches-Ters Diamond Brand pills \* \* \* A Standard and Reliable Remedy for the Relief of Amenorrhoea, Dysmenorrhoea, Menorrhagia, Leucorrhoea, Scanty and Irregular Menstruation, and other derangements of the reproductive system arising from Colds, Ill Health, Nervous Strain, Exposure to Inclement Weather and similar causes, and is especially valuable in the functional changes incidental to the distressing period of the menopause or change of life." Six dozen packages of the article were accompanied by a circular or booklet containing the statements: "Relief at last to all suffering women \* \* \* I save many hours of pain! \* \* \* Are you sick? Suffering? Depressed? If so, and it is due to functional derangements of the female reproductive organism you will find relief by taking the original and reliable Chi-Ches-Ters Diamond Brand Pills. \* \* \* Chi-Ches-Ters Diamond Brand Pills are intended for speedily and effectually relieving amenorrhoea, dysmenorrhoea, painful, scanty and delayed menstruation. \* \* \* Their use will not interfere with the daily routine of life nor injure the most delicate constitution but on the contrary they strengthen and build up the health and invigorate the system. \* \* \* Chi-Ches-Ters Pills the 'Diamond Brand' have become a household word and have saved untold numbers of women from pain and suffering and are confidently recommended as time tried, reliable and effective \* \* \* a friend in need is a friend indeed."

Analysis by this department showed that the pills contained iron sulphate and vegetable drugs, including aloë.

It was alleged in substance in the libels that the article was misbranded, in that the statements above quoted borne on the labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On April 11, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15054. Misbranding of Bowman's abortion remedy. U. S. v. 10 Boxes, et al., of Bowman's Abortion Remedy. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20462, 20490. I. S. Nos. 265-x, 268-x. S. Nos. W-1792, W-1795.)

On or about September 24 and October 13, 1925, respectively, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 242 pounds and 10 boxes of Bowman's abortion remedy, remaining in the original unbroken packages in part at The Dalles, Oreg., and in part at Forest Grove, Oreg., alleging that the article had been shipped by the Erick Bowman Remedy Co., from Owatonna, Minn., in two consignments, on or about September 15, 1925, and September 28, 1925, respectively, and transported from the State of Minnesota into the State of Oregon, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Bowman's Abortion Remedy."

Analysis by this department showed that the article consisted essentially of a mixture of wheat shorts and brown sugar, with traces of compounds of calcium and sulphur, and a phenolic substance.

It was alleged in the libel that the article was misbranded, in that the statement, "Bowman's Abortion Remedy," was false and fraudulent, since the product contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 9, 1927, the intervenor, the Erick Bowman Remedy Co., Inc., Owatonna, Minn., having withdrawn its answer, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15055. Misbranding of Depurativo Ruso Makharoff and Inyeccion Roja Martinez. U. S. v. 516 Bottles of Depurativo Ruso Makharoff, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 21365, 21366, 21367. I. S. Nos. 4844-x, 4844-x, 4845-x. S. Nos. E-5890, E-5891.)

On November 9, 1926, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 668 bottles of Depurativo Ruso Makharoff and 390 bottles of Inyeccion Roja Martinez, in part at Ponce, P. R., and in part at Mayaguez, P. R., alleging that on or about the respective dates of June 19, and July 30 and 31, 1926, the Porto Rican American Drug Co., of Ponce, P. R., had shipped or delivered the said articles to the possessors thereof, that they were being sold and offered for sale in the Territory of Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the Depurativo Ruso Makharoff consisted essentially of potassium iodide, mercuric iodide, sodium sulphate, sarsaparilla extract, and water, and that the Inyeccion Roja Martinez consisted essentially of zinc phenolsulphonate, alum, catechu, and water.

It was alleged in the libels that the articles were misbranded, in that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combination of ingredients capable of producing the effects claimed: (Depurativo Ruso Makharoff, carton label) "Depurative antirheumatic, antisymphilitic, antiherpetic \* \* \* it combats diseases of the blood and skin such as syphilis, herpes, ulcers, pricking sensation, rheumatism, fissures in the hands and feet, tetter, etc. \* \* \* it is useful in combating pains in the articulations and bones when these are of syphilitic or rheumatic origin \* \* \* it radically combats diseases of the blood, syphilis, rheumatism, ulcers, itching, pricking sensation, tetter, herpes, and scrofula;" (Depurativo Ruso Makharoff, bottle label) "Depurativo \* \* \* Antirheumatic Antisyphilitic Antiherpetic \* \* \* It combats Diseases of the Blood and Skin such as Syphilis, Herpes, Ulcers, Itching, Rheumatism, Pricking Sensation, Fissures in the Hands and Feet, Tetter, etc. \* \* \* It Is Useful in combating Pains in the Articulations and Bones when these are of Syphilitic or Rheumatic Origin;" (Inyeccion Roja Martinez, carton label) "Antigonorrheic Of The First Order Urethral Use \* \* \* It Refreshes the Intro-Urethral Tissue and combats the Gonococcus Practice Confirms It;" (Inyeccion Roja Martinez, bottle label) "Antigonorrheic Of The First Order It Refreshes The Intro-Urethral Tissue And Combats The Gonococcus."



On April 13, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15056. Misbranding of Malt-O-Cod. U. S. v. 703 Bottles of Malt-O-Cod. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21710. I. S. No. 11824-x. S. No. C-5341.)**

On March 8, 1927, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 703 bottles of Malt-O-Cod, at Akron, Ohio, alleging that the article had been shipped by Fred Stearns, from Detroit, Mich., December 22, 1926, and transported from the State of Michigan into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (carton and bottle) "Malt-O-Cod \* \* \* Containing the active medicinal properties of Fresh Cod Livers \* \* \* A Health and Strength Giving \* \* \* Stimulant to the Process of Digestion and Nutrition. Especially Valuable in the Convalescence of Wasting Disease, 'Flu,' Typhoid, and other Fevers, Diphtheria. A valuable aid in the treatment of Pulmonary Diseases, Hoarseness, Bronchitis, Obstinate Cough, Nervous Dyspepsia, Simple Anemia, Impure Blood, Weakness, Prostration and Debilitated Conditions Generally;" (carton) "The Wonderful Reconstructive Tonic \* \* \* possessing the valuable properties of fresh cod livers without any of the latter's disagreeable features \* \* \* does not, even to the most delicate, produce stomach disturbances and other bad after effects that are such a drawback to the best action of cod liver oil in its crude state. \* \* \* is a \* \* \* reconstructor and also a stimulant to the process of digestion and nutrition. Under its influences new and healthy tissue is built up and the resistance of the system to disease strengthened and fortified \* \* \* valuable in the treatment of bronchitis, nervous debility, blood disorders, simple anemia, neuralgia, rheumatism, prostration, typhoid fever and other wasting diseases."

Analysis by this department showed that the article consisted essentially of sugar, alcohol and water, extracts of plant drugs, including quinine and strychnine, with compounds of phosphorus, iron, calcium, sodium, and potassium, and a very small quantity of salicylates.

It was alleged in the libel that the article was misbranded, in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects described.

On April 21, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15057. Misbranding of phosphated iron. U. S. v. 7 Packages of Phosphated Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21640. I. S. No. 14418-x. S. No. C-5107.)**

On February 17, 1927, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 packages of phosphated iron, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Relief Laboratory, Inc., Newburgh, N. Y., in part January 15, 1926, and in part April 8, 1926, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the product consisted essentially of iron phosphate and carbonate, nux vomica extract, and a laxative drug.

It was alleged in substance in the libel that the article was misbranded, in that the following statements borne on the labels, regarding the curative and therapeutic effects of the said articles were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (carton label) "Phosphated Iron \* \* \* To overcome the lack of Iron and Phosphorous in the whole system; to increase Flesh and Tissue Building, to overcome lack of Nerve Force and Energy, Brain Fog and that Tired Feeling \* \* \* for all that are going back and feel they need help to carry them over. \* \* \* indicated in the treatment of Loss of Appetite,

Anæmia (Lack of Red Blood Corpuscles), Pimples and all Skin Affections, Neurasthenia, Hysteria, Fainting or Dizziness, delayed or suppressed painful Menstruation, and is used with great success for its reconstructive powers after prolonged illness;" (circular) "Phosphated Iron in Hundreds of Cases of Nerve Exhaustion, Lack of Iron and Phosphates, Weakened Vitality, Anæmia, Neurasthenia, etc., this Scientific Remedy has helped Nature to restore Health, Strength and Happiness. Nervousness, Short Temper, Headaches, Foolish Fears, that Tired Feeling, Worry, Lack of Ambition, Loss of Sleep, these are the price of over-strenuous life when we lack the Iron and Phosphorous in our systems to enable us to recuperate and come back strong for the tasks we all have to shoulder. To Avoid This Worn-out Condition and Nervous Breakdown and the danger of serious diseases due to weakened resistance (caused from lack of Iron and Phosphorous in the Body) Three Things Are Necessary: Good Rest, Proper Nourishment and Phosphated Iron. The Value of Phosphated Iron lies in the Fact that it quiets the nerves and makes the dreaded sleepless nights give way to undisturbed refreshing sleep. It helps to nourish the body by giving healthy enjoyable appetite and aiding Digestion, so the Iron and Phosphates are readily taken into the blood and circulation, enabling the body to get the full benefit of the well-digested food and Phosphated Iron. \* \* \* For lack of Iron that goes to make rich red blood, for Anæmia, Loss of Vitality, Nervous Prostration due to Overwork, Nervousness, Bad or Impoverished Blood, for the treatment of Wasting Diseases and for People recovering from long and serious illness, Phosphated Iron should be used as a Nerve, Health and Strength Builder \* \* \* Don't Make This Mistake Be Sure and Do Not Stop Treatment Too Soon Remember your trouble is a deeply rooted condition. It took a long time to develop and you cannot get rid of it in a day, so do not make the mistake of stopping treatment too soon even though your trouble has ceased. After taking Phosphated Iron for a short time and experiencing its benefits, do not jump to the conclusion that your trouble is cured because you feel so much better again. The chances are that in reality the fight against your trouble is just turning in your favor, unless your case is an exceptionally mild one. If you stop treatment too soon, you may suffer a return of your troubles, because you have not thoroughly absorbed enough Phosphated Iron in your system to be on the safe side. Continue taking Phosphated Iron for a couple of weeks after all your symptoms disappear, simply as a safeguard against the return of your old complaint. Furthermore, if yours is a severe or chronic case of lack of Iron and Phosphates be content to wait a little while for results, your patience will be well rewarded. Bear in mind what a stubborn ailment your condition is, and how long you have been running down hill, your powers of nerve resistance have worn out, your blood is impoverished for lack of Iron and Phosphates and you realize that in a long standing case of your ailment it takes time to accomplish material benefits. Your case may be so severe as to require three or six or seven more boxes of 'Phosphated Iron'."

On April 25, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15058. Misbranding of white diarrhea remedy and worm emulsion. U. S. v. 10 Cases of White Diarrhea Remedy, et al. Decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 21673, 21674. I. S. Nos. 12851-x, 12852-x. S. No. C-3050.)**

On February 28, 1927, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 20 cases of white diarrhea remedy, and a quantity of worm emulsion, at Wooster, Ohio, alleging that the articles had been shipped by the Barnes Emulsion Co., Gardena, Calif., on or about February 9, 1927, and transported from the State of California into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (white diarrhea remedy, bottle label) "White Diarrhea Coccidiosis Remedy \* \* \* This remedy is made specifically for White Diarrhea, Coccidiosis, and all bowel troubles. It is a remedy that is highly antiseptic, germicide \* \* \* Will assist the functions of the body;" (worm emulsion, can label wrapper) "Builds Health and Vitality by aiding digestion \* \* \* remedy for either mild or severe worm infestation of poultry (including tape, round



and pin worms) \* \* \* effective builder of health and vitality in all poultry  
 \* \* \* Baby chicks receiving it from the very start will seldom be affected  
 with the usual bowel ailments which so often cause heavy mortality losses.  
 \* \* \* Its health and vitality building qualities \* \* \* birds are enabled to  
 properly digest and assimilate All of the nutriment in their feed—also intestinal  
 parasite. \* \* \* Fowls that are badly infested with worms, or that have paraly-  
 sis, or that are in a badly run-down condition, should be separated from the rest  
 if possible, and treated as noted under 'Severe Infection' \* \* \* For worm  
 control and to build better health, vitality, and growth in normal flocks \* \* \*  
 For Pullets In Poor Condition \* \* \* in severe cases \* \* \* If bird is so  
 weak it cannot swallow. To control any possible surplus of worms, lessen the  
 chance of diarrhea infection and increase growth, health and vitality \* \* \*  
 Treatment For Severe Infection: When the fowls are heavily infested with  
 worms, Worm Emulsion will control the surplus worms \* \* \* to remedy  
 the evil as quickly as possible we suggest the following method of using Emul-  
 sion \* \* \* until there is a great improvement noted in the fowls \* \* \*  
 it enables the birds to digest and assimilate all of the nutrition in their feed  
 \* \* \* Worm Emulsion \* \* \*. \* \* \* The Worm Evil in Poultry  
 \* \* \* Worms in Poultry Cause Many Ailments And Losses \* \* \* worms  
 in the intestinal tract \* \* \* Worms \* \* \* tend in several ways to de-  
 stroy the fowl's digestive juices and lubricants, causing poisoning by undigested  
 food, irritation of the intestinal tract and a general sapping of the bird's vitality  
 until it hasn't the strength to resist colds, cholera and like diseases. Where the  
 Worms Come From Many folks wonder how their fowls can be infested with a  
 surplus of worms \* \* \* all animals have worms. Rats, mice and all creep-  
 ing things, as well as birds, carry these worms. \* \* \* Worm larvae is also  
 found on weeds and grass and in the soil, especially on premises where the  
 expelling method of ridding worms from poultry and domestic animals has been  
 used. The expelled worms may be destroyed by the expelling process, but the  
 expelled worm eggs or larvae remain alive \* \* \* at some time nearly all  
 feeds become contaminated, not with live worms, but with ovum or eggs,  
 \* \* \* as these worm eggs are ever being hatched within the intestinal tract  
 of the birds, we must constantly control the young worms and keep down the  
 devitalizing Surplus. A regular use of Barnes Worm Emulsion does this effec-  
 tively and at the same time enables the fowls to keep in a high state of health  
 and vitality \* \* \* This Barnes Way of Worm Control and What It Means.  
 If the old method of expelling worms accomplished good results it would be  
 correct. But although the expelled worms may quickly die, if the worm eggs  
 remain fertile \* \* \* re-infestation begins again; so what good is done by  
 merely expelling the worm? The Barnes way of worm control is to increase  
 and strengthen the digestive juices of the fowl so that these digestive juices  
 may digest and assimilate the worms and worm eggs, the same as they would  
 any meaty substance, and in doing this the fowl retains the nutrition that the  
 worm has taken to itself from the food in the intestinal tract of the bird.  
 \* \* \* the Surplus of worms is under control \* \* \* continued systematic  
 control with the regular small dosage of one ounce of Barnes Worm Emulsion  
 in each gallon of drinking water \* \* \* in so doing the fowl benefits from  
 All the nutrition in its feed for eggs, growth and health. This means less food  
 with greater production and vitality."

Analysis by this department showed that the white diarrhea remedy con-  
 sisted of a solution of ferrous sulphate in water and that the worm emulsion  
 consisted of approximately 95 per cent water, the remainder consisting of a  
 gum, a bland fatty oil, and a trace of a volatile oil such as turpentine oil.

It was alleged in the libels that the articles were misbranded, in that the  
 above-quoted statements regarding the said articles were false and fraudulent,  
 since they contained no ingredients or combination of ingredients capable of  
 producing the effects claimed.

On April 1, 1927, John B. Wile, Wooster, Ohio, having appeared as claimant  
 for the property and having admitted the allegations of the libels, judgment of  
 condemnation was entered, and it was ordered by the court that the products  
 be released to the said claimant upon payment of the costs of the proceedings  
 and the execution of bonds totaling \$1,000, conditioned in part that they be  
 rebranded in accordance with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15059. Adulteration and misbranding of tincture cinchona, fluidextract colchicum seed, tincture belladonna leaves, morphine sulphate tablets, and nitroglycerin tablets. U. S. v. E. R. Squibb & Sons. Plea of guilty. Fine, \$802. (F. & D. No. 21552. I. S. Nos. 87-x, 92-x, 89-x, 802-x, 5332-x, 5719-x 14479-v, 14480-v.)**

On December 29, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. R. Squibb & Sons, a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about December 5, 1924, and July 16 and 25, 1925, respectively, from the State of New York into the State of California, of quantities of tincture cinchona, fluidextract colchicum seed, nitroglycerin tablets, and tincture belladonna leaves and on or about September 3, 1925, from the State of New York into the State of Massachusetts, of a quantity of morphine sulphate tablets, which products were adulterated and misbranded. The articles were labeled variously: "Tincture Cinchona, U. S. P. Assays 0.8 to 1 Gm. of cinchona alkaloids in each 100 Cc. \* \* \* E. R. Squibb & Sons, New York;" "Fluidextract Colchicum Seed Squibb \* \* \* Fluidextractum Colchici Seminis, U. S. P. Assays 0.36 to 0.44 Gm. Colchicine in 100 Cc \* \* \* E. R. Squibb & Sons, New York;" "Hypo Tablets Morphine Sulphate 1/8 Gr. E. R. Squibb & Sons, New York;" "Tablet Triturates \* \* \* Nitroglycerin Squibb 1/100 Grain E. R. Squibb & Sons New York;" "Tincture Belladonna Leaves Squibb \* \* \* Tincture Belladonnae Foliorum, U. S. P. Assays 0.027 to 0.033 Gm. of Alkaloids in 100 Cc. \* \* \* E. R. Squibb & Sons, New York."

Analysis by this department showed that the nitroglycerin tablets, labeled "1/100 gr.," contained 1/177 grain of nitroglycerin per tablet, the morphine sulphate tablets, labeled "1/8 gr.," contained 1/10 grain morphine sulphate per tablet, the tincture of cinchona yielded not more than 0.635 gram of the alkaloids of cinchona per 100 mls, the fluidextract of colchicum seed yielded not more than 0.316 gram of colchicine per 100 mls, and the tincture of belladonna leaves yielded not less than 0.0385 gram of the total alkaloids of belladonna leaves per 100 mls.

Adulteration of the tincture cinchona, fluidextract colchicum seed, and tincture belladonna leaves was alleged in the information for the reason that they were sold under and by names recognized in the United States Pharmacopœia and differed from the standard of strength, quality and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation, in that the tincture cinchona yielded less than 0.8 gram of the alkaloids of cinchona per 100 mls, to wit, not more than 0.635 gram of the alkaloids of cinchona per 100 mls, whereas the Pharmacopœia provided that tincture of cinchona should yield not less than 0.8 gram of the alkaloids of cinchona per 100 mls; the fluidextract colchicum seed yielded not more than 0.316 gram of colchicine per 100 mls, whereas the Pharmacopœia provided that fluid extract of colchicum seed should yield not less than 0.36 gram of colchicine in each 100 mls; and the tincture belladonna leaves yielded not less than 0.0385 gram of the total alkaloids of belladonna leaves per 100 mls, whereas the Pharmacopœia provided that tincture belladonna leaves should yield not more than 0.033 gram of the total alkaloids of belladonna leaves per 100 mls; and the standard of strength, quality and purity of the said articles was not declared on the containers thereof. Adulteration was alleged with respect to the tincture cinchona, fluidextract colchicum seed and tincture belladonna leaves for the further reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the extract cinchona was represented to assay 0.8 to 1 gram of cinchona alkaloids in each 100 cubic centimeters, whereas it assayed less than 0.8 gram of cinchona alkaloids in each 100 cubic centimeters; the fluidextract colchicum seed was represented to assay 0.36 to 0.44 gram of colchicine in 100 cubic centimeters, whereas it assayed less than 0.36 gram of colchicine in 100 cubic centimeters; and the tincture of belladonna leaves was represented to assay 0.027 to 0.033 gram of alkaloids in 100 cubic centimeters, whereas it assayed more than 0.033 gram of alkaloids in 100 cubic centimeters.

Adulteration of the morphine sulphate tablets and the nitroglycerin tablets was alleged for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain 1/8 grain of morphine sulphate or 1/100 grain of nitroglycerin, as the case might be, whereas each of said tablets contained less of the product than represented.



Misbranding of the tincture cinchona, fluidextract colchicum seed, and tincture belladonna leaves was alleged for the reason that the statements, to wit, "Tincture Cinchonae, U. S. P. Assays 0.8 to 1 Gm. of cinchona alkaloids in each 100 Cc.," "Fluidextract Colchicum Seed \* \* \* Fluidextractum Colchici Seminis, U. S. P. Assays 0.36 to 0.44 Gm. Colchicine in 100 Cc." and "Tincture Belladonna Leaves \* \* \* Tincture Belladonnae Foliorum U. S. P. Assays 0.027 to 0.033 Gm. of Alkaloids in 100 Cc.," borne on the labels of the respective products, were false and misleading in that the said statements represented that the articles conformed to the standard prescribed by the United States Pharmacopoeia and that they assayed 0.8 to 1 gram of cinchona alkaloids in each 100 cubic centimeters, 0.36 to 0.44 gram of colchicine in 100 cubic centimeters, or not more than 0.033 gram of alkaloids of belladonna leaves in 100 cubic centimeters, whereas the said articles did not conform to the standard laid down in the United States Pharmacopoeia, and the tincture cinchona and fluidextract colchicum seed assayed less than represented, and the tincture belladonna leaves assayed more than so represented.

Misbranding of the morphine sulphate tablets and the nitroglycerin tablets was alleged for the reason that the statements, to wit, "Tablets Morphine Sulphate 1/8 Gr.," and "Tablet Triturates Nitroglycerin 1/100 Grain," borne on the respective labels, were false and misleading in that the said statements represented that each of the tablets contained 1/8 grain of morphine sulphate or 1/100 grain of nitroglycerin, as the case might be, whereas the said tablets contained less than represented.

On January 31, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$802.

W. M. JARDINE, *Secretary of Agriculture.*

**15060. Adulteration and misbranding of plaster mustard. U. S. v. 4 Barrels of Plaster Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21653. I. S. No. 15383-x. S. No. C-5325.)**

On February 18, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 barrels of plaster mustard, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Knickerbocker Mills Co., from New York, N. Y., in two consignments, on January 4 and April 7, 1926, respectively, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled, "Plaster Mustard."

Analysis by this department showed that this article consisted of mustard hulls.

Adulteration of the article was alleged in the libel for the reason that it was sold as mustard, a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopoeia.

Misbranding was alleged for the reason that the statement, "Plaster Mustard," borne on the label, was false and misleading, in that the said article consisted mainly of mustard hulls, with only a trace of mustard oil. Misbranding was alleged for the further reason that the article was offered for sale under the name of another article, that is, mustard, when in fact it consisted mainly of mustard hulls with only a trace of mustard oil.

On May 17, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15061. Misbranding of Alvita tablets and Alvita tea. U. S. v. 26 Packages of Alvita Tablets, and 1/2 Gross of Alvita Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 21631, 21632. I. S. Nos. 11110-x, 11111-x. S. Nos. E-3276, E-3277.)**

On February 17, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 packages of Alvita tablets, and 1/2 gross packages of Alvita tea, remaining in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the California Alfalfa Products

Co., from Lamanda Park, Calif., on or about January 25, 1927, and transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the tablets were brown, sugar-coated tablets containing vegetable extractives, oil of sassafras, and celery, and that the tea consisted of ground alfalfa.

It was alleged in substance in the libel that the articles were misbranded, in that the following statements borne on the labels were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (booklet accompanying both products) "Alvita Alfalfa is life \* \* \* Alfalfa fed hogs never have the common hog diseases \* \* \* Alfalfa as a table tea. \* \* \* A \* \* \* friend \* \* \* suffering with an acute attack of lumbago. The tea cured his troubles over night \* \* \* Gave some tea to an old \* \* \* friend \* \* \* badly crippled with miner's rheumatism. The old man \* \* \* got the kinks out of his bones and 'got young again.' \* \* \* A young woman \* \* \* dying with dropsy. The Alfalfa tea was \* \* \* given to her in frequent doses. In a week the woman was \* \* \* entirely well. \* \* \* We got some alfalfa and ground it into a fine flour and made some bread, using whole wheat and white flour with the Alfalfa. One woman \* \* \* came back for another loaf of the bread, saying it was good for her constipation \* \* \* also made a fine candy, using the extract of the Alfalfa for the flavoring \* \* \* it seemed to make the candy \* \* \* more easy to digest. A \* \* \* man \* \* \* wanted to know if the Alfalfa would cure his prostatic trouble—getting up frequently at nights. He got a bag of the tea and on the fourth day \* \* \* told me he had slept all through the previous night \* \* \* He had been doctoring for ten years for his trouble and our Alfalfa tea cured him in four days \* \* \* All kinds of ailments \* \* \* an old man \* \* \* was helpless with hardening of the arteries. I called with my bag of tea and persuaded the good wife to make a brew and give it to him every two hours. In fifteen days he drove his own car to my laboratory in the city to get some more tea and told me he felt twenty-five years younger and he certainly looked it \* \* \* Three remarkable cures from the tea test—a young lad with a tubercular condition of the knee joint; a dropsy case in a woman and a woman in the first stages of consumption. I gave a quantity of the tea to a boarding-house lady to try out on her unsuspecting boarders. They drank it without comment \* \* \* but in a few days the boarders began to eat. My, how the appetites began to increase. She asked me if I thought the tea made them hungrier and I said I did not know \* \* \*. My \* \* \* friend \* \* \* was advised by doctors \* \* \* to quit his practice and retire to his farm. He might live a year they said. The tea I gave him stopped his bladder trouble the third night. \* \* \* An expectant mother \* \* \* drank copiously of the tea. A baby boy was born and it was a wonder child. Its bones were strong, with a large frame, and there was a perfectly normal delivery on the part of the mother. As long as the baby nursed the mother continued to drink the tea and she had a great abundance of rich milk, upon which the child thrived without the usual troublesome times of nursing babies. A specialty man \* \* \* came \* \* \* because of a large family of boils. He took back with him to his home a bag of the magic Alfalfa tea and that was the end of the blood disorder. \* \* \* The actual cures of so many different kinds of troubles convinced me that Alfalfa had several properties not given to other plants. \* \* \* contains all of the very important organic salts used in the construction and the maintenance of the body both animal and human \* \* \* A wonderful neutralizant for any acid condition of the body. They are necessary for growth and are prescribed for many ailments of mankind \* \* \* Fermentation or a 'sour' condition, is the base of most bodily troubles. \* \* \* the Vitamins. All three of them are found in the Alfalfa plant \* \* \* also contains \* \* \* Enzymes or digestive ferments which aid digestion. These ferments join forces with the Vitamins so as to greatly aid in the assimilation of foods and increase the vitality of both man and beast. \* \* \* we have a line of preparations that will do everything claimed for them. They are not in any sense drugs, but, instead, are based upon vegetable compounds of recognized merit. \* \* \* On taking large doses of an infusion of the leaves of Alfalfa as one would drink tea or coffee, there is a sensation of warmth in the stomach with fullness of the blood vessels of the head. A large dose at night, other symptoms calling for



it, produces a good night's rest. \* \* \* There is an increased secretion of the kidneys from this agent and, in the female, of the milk glands, increased peristaltic action of the bowels; increased appetite; increased assimilation of food, and increased weight. In one case there was a disappearance of swelling of the milk glands. \* \* \* From the fact that Alfalfa increases the flow of milk in cows while they are yet gaining in flesh, Dr. Bradley gave the remedy freely to mothers who were insufficiently nourished and secreted but little milk or milk devoid of its nutritious properties for the child. In every case so administered, the patient showed a satisfactory increase in flesh and strength. The digestive apparatus, whatever the disorder, assumed its normal function and, in some cases, the patients took on a fair increase in flesh. \* \* \* tea made of Alfalfa will \* \* \* he has found \* \* \* preserve an excellent condition of the stomach. With one woman who in three previous births had had kidney complications with uremia, he preserved with this agent a normal condition of all functions through the pregnancy and labor. He finds Alfalfa a superlative tonic \* \* \*. It rejuvenates the whole system by increasing the strength, vim, vigor and vitality of the patient. In all cases the over-marked condition calling for the remedy is despondency along with loss of flesh, whether the case is one of stomach trouble, such as indigestion, dyspepsia, general and nervous debility, anaemia, marasmus, loss of appetite and poor assimilation as shown by loss of flesh and constipation with the always accompanying condition, depression. Alfalfa, administered in the dose of one or two drops in a bottle of milk three times daily, is especially useful with bottle babies. One physician prescribed it where there was a dropsical effusion, where the kidneys were inactive and the skin dry, and in every case so administered, it gave satisfactory results. In old men it relieves prostatic irritation. It relieves conditions of the urinary apparatus. \* \* \* cured backache where the patient was passing a small quantity of urine with high specific gravity, especially where there were rheumatic conditions with much muscular aching with excessive quantity of urates and uric acid. \* \* \* seven children had died at the age of eighteen from some undefined disorder with great emaciation. The eighth child \* \* \* exhibiting the same symptoms, was kept on a tincture of Alfalfa seed fully saturated, ten drops four or five times a day. The condition disappeared, the patient increased in weight from 99 to 133 pounds and recovered her health. In a concentrated form, this will probably be found nutritional, \* \* \* improving the functional action of the brain and spinal cord. \* \* \* especially important in the nourishment of human beings, especially children, \* \* \* Bladder Inflammation In Women A frequent trouble comes to women due to an acid condition of the bladder. The alkaline salts of the Alfalfa Ash work the same wonder cure by neutralizing the acid and relief comes in practically every case. \* \* \* one woman \* \* \* was confined to her bed with an acute case of bladder inflammation, was unable to retain her urine and suffered intensely from the constant irritation. \* \* \* She began using the Alvita Tea and Tablets and in three days was completely relieved and today is entirely well. \* \* \* to overcome the acid of the urine \* \* \* The alkaline salts of the Alfalfa Ash, in the vegetable form, performed the desired result. For prostatic and bladder troubles, the Tea and Tablets are recommended to be taken according to the directions. \* \* \* I have now been using Alfalfa Tea \* \* \* for about eighteen months. My greatest success with it has been in maternity cases. I get most of these cases several months before date of delivery. I put them on a diet containing whole cereals, leafy vegetables, crude syrups, also milk if not already too fat. About four months before I add Alfalfa Tea. Breasts that are perfectly flat begin to swell. In every case so far there has been milk enough for two, and sometimes three infants. The mother has been able to nurse, in the shortest case, five months; in most of them as long as she desired. Many of the cases I get are practically invalids when I am called. One recent case had pernicious anemia. The previous condition of the mother appears to make little difference. All cases have come through in first class condition. As a milk producer and general tonic in maternity cases Alfalfa Tea is practically infallible. In a few cases it has been added to the diet after the child was born also with gratifying results; but to insure success and a perfectly healthy child I prefer to have the care of the mother at least five months before delivery. I have used Alfalfa Tea in many other conditions. While here it cannot be called an absolute specific as it may well be called in maternity cases, it has proved to be of great value in colds, tuberculosis, Bright's disease, colitis, and all disorders where the addi-

tion of leafy vegetables is indicated. \* \* \* in many cases of digestive disorders. \* \* \* I have used this bitter tonic combination with buchu in several cases of Bright's disease and prostatic hypertrophy with gradual improvement. One of my latest cases was almost at death's door with prostatic trouble and catarrh of the bladder. He is now up and around and still improving. \* \* \* was 85 years of age. \* \* \* drink a cup of Alvita Tea with each meal. \* \* \* diet suggestions \* \* \* to help you to build up your system so that you can ward off disease, \* \* \* If you will follow these suggestions and take Alvita Tablets and Tea \* \* \* you will be amazed and delighted with the vast improvement, not only in your bladder symptoms, but in your general health within a very short time. Alvita Products Supply most important missing elements as no other food does—Nature's own lime, iron, phosphates and vitamins. \* \* \* A Vitally Important Subject—Nature has provided the great channels by which waste matter is carried out of the system. One is by way of the bowels, and the other by way of the kidneys and urinary organs. But, there is a great difference in the nature of the waste products carried off by these two different channels. The bowels carry off the waste matter of the food taken into the system, while the kidneys and urinary organs carry off the waste products of the entire system itself. Hence, the proper action of the kidneys is vastly more important even than of the bowels, because the waste matter which the kidneys should carry off will, if retained in the blood, disturb and poison every organ and function of the human body. The diseases of other organs which are caused by diseases of the kidneys are entirely due to the fact that the blood is poisoned by the urinary products that are retained in it. The kidneys are the sewers of the system, therefore inflammation of the bladder and a frequent desire to urinate result from the kidneys being diseased and failing to perform their functions. Alvita Tea and Tablets, by their direct action on the kidneys, neutralize the acid condition which prevails at this time. Stop Getting Up Nights. This new simple, easy way. \* \* \* 75 per cent of men after the age of 40 years, suffer with prostate gland trouble which is one of the most painful and stubborn of all diseases that befall man. The disease is generally caused either by an enlarged or an inflamed prostate gland. \* \* \* The disease is caused by simple infection of the gland, an inflammation caused by acidosis extending from the bladder or from sexual excesses or venereal diseases or from accident caused by a blow or strain. If the gland is swollen and enlarged, it closes in on the outlet and stops the flow of urine, which backs up in the bladder, causing further fermentation and distress, or if the gland is inflamed only, the desire to urinate is almost constant, due to the irritation on the inflamed and raw parts. \* \* \* Since the disease is often caused and is maintained by reason of an acid or inflamed condition of the prostate gland itself which nearly always extends into the bladder, the natural and simple remedy would be something that would remove and relieve the unnatural condition that causes the inflammation. \* \* \* the Ash of Alfalfa, it will be found to carry a number of alkaline salts. Simple chemistry shows that an alkali neutralizes an acid. Combined with the curative effect of the minerals is that of the Vitamines which build up and strengthen these diseased parts. This is nature's cure. The Alvita Tablets work wonders in the cure of this disease. Obstinate cases of years standing where men had been getting up twenty to thirty times a night have been cured in a few days. Sometimes a longer time is required but practically every case has been relieved that has used these wonder tablets. Besides bringing relief to the prostatic trouble, the tablets build up again the entire system, giving tone and vigor to a surprising degree. \* \* \* Health Food \* \* \* We want you to use Alvita Tea or Tablets if you need them. Diseases of the kidneys rank fifth as a cause of death in the United States. Health is your most valuable asset. It keeps the man or woman who remains a boy or girl at heart forever youthful. Good health is not a matter of luck, but the result of a reasonable amount of care, the care you would give your daily work, or the care you bestow on your family \* \* \* The tablets are good for a multitude of ailments of the human body that can be relieved through the wonderful assimilating, eliminating and rebuilding powers of Alfalfa. To enumerate all of the varied diseases that have been wonderfully helped by them would give the impression that they are a panacea for everything. You may draw your own conclusion in the matter after you have carefully weighed the facts given about Alfalfa in this booklet. Practically every disease gets its start from poor assimilation and elimination and lack of the necessary amount of the



essential minerals. \* \* \* for kidney, bladder, and prostate gland troubles. Alvita Tea \* \* \* health-giving, body-building \* \* \* for the growing child, furnishing as it does an abundance of the minerals upon which growth depends. \* \* \* Give it to the children and watch them grow. \* \* \* the real Mother's Friend. For nursing mothers, it aids the secretion of milk and at the same time gives added strength and vitality to both the mother and child. The mother's milk carries more ash, taken from the Alvita Tea, which is imparted again to the nursing child. Alvita Tea is a great eliminator. It is splendid for older people who are commencing to load up on old age matter. Alfalfa seems to dissolve the uric acid from the system and actually makes the old young again. \* \* \* Nobody knows how one can suffer from kidney and bladder troubles and irritations. For three years life was full of misery and torment. Days dragged by through hours of agony and nights were filled with the pain of a hundred years. And all this was caused by inflammation and irritation of kidneys and bladder, and no medicine seemed to do any good until along came a good Samaritan with Alvita, which started an increasing hope for recovery of health. All aches and pains and misery changed to joy. I am today a normal well man both day and night \* \* \* a little grand daughter \* \* \* was in a very rundown condition. Instead of being lively and full of pep as children are at her age, she was languid and seemed to lack interest in the pastimes usually enjoyed by children. Had little appetite, and seemed to get no benefit from what she did eat. She reminded me of a flower about to wither. Knowing the benefits to be derived from the proper use of your Alvita Tablets, I got three boxes and had her mother give them as directed. In a very few days she started up grade and in two or three months she was a different child. This was about a year ago and today she eats everything set before her and asks for more, is full of pep and lively as a cricket. When I get that 'tired' feeling I have only to take your tablets and I am soon feeling like a 'three-year-old' \* \* \* For the past three years I had serious thoughts of an operation, due to a serious case of prostatic trouble. \* \* \* I used to suffer great pain, getting up four or five times each night, and I want to tell you I am entirely relieved after taking one month's treatment of Alvita. \* \* \* it has even helped my appetite \* \* \*. A great appetizer, \* \* \* ever since I had the flu, I have had to force myself to eat and my strength has been very slow in returning. I have been using Alvita Tea for about two weeks and am really astonished at the way my appetite has come back to me. \* \* \* I am rapidly regaining my strength. \* \* \* Having suffered for 40 years with what the doctors termed nervous indigestion, so badly that I was compelled to use a stomach pump \* \* \* after using your Alvita Tea and Tablets for two weeks I am entirely relieved of this trouble and cannot recommend your products too highly to suffering humanity such as I was, \* \* \* since using them I have experienced great relief in female trouble and nervousness. I have also suffered for years from stomach trouble, and I have never had anything do me so much good as the use of Alvita Tea \* \* \* I advise all my friends to use them if they want plenty of pep and a new lease on life. \* \* \* Alvita has beyond question done us more good than anything else we have tried, and it is quick to give results in the ailments common to aged people like ourselves. \* \* \* Blood renewer, rehabilitator of the run down and weakened body. \* \* \* a severe attack of influenza \* \* \* It left me very weak, and I had a bad time with my bladder and kidneys and a very poor circulation. I felt cold all of the time, was very weak, and the worst trouble was having to get up frequently at night on account of the bladder and prostatic irritation. \* \* \* I got to using your Alvita Tea and Tablets, which have about brought me back to the joy of living again, in fact, I have never felt any better in my life than right now. \* \* \* testimony \* \* \* it will help others suffering as I did to get relief. \* \* \* I have been using your Alvita Tea constantly \* \* \* When I began taking it I was in bad health and suffering very much from indigestion, and I have certainly been very much benefited by it. \* \* \* wonderful change it had made in my looks and general health. \* \* \* an aunt \* \* \* had been suffering from intestinal trouble. \* \* \* it did her so much good that she has since requested me to send her several more packets, adding 'I wouldn't be without it.' \* \* \* I \* \* \* was 80 years old on the 6th of April. I have taken three boxes of Alvita and it has done me a lot of good. \* \* \* I feel like a man of 50 now. \* \* \* I have suffered for years from neuritis

\* \* \* After taking the tablets one day I found relief, and having now taken tablets four days according to directions I feel much relieved. \* \* \* my husband had only taken them three days when he could see the effects, and he is improving every day. He gets his rest nights \* \* \* marvelous results. I was suffering from a combination of troubles, neuritis or rheumatism, loss of energy, sleeplessness, despondency, indigestion and a desire to pass on, but your Tablets have given me a new lease on life. With the desire to live a normal happy life. \* \* \* I have had \* \* \* for years \* \* \* inflammation of the bladder, but since taking Alvita have not had any sign of it. My kidneys have always given me trouble every winter during the wet weather, but this year I have not had any bad spells, and very little trouble of any kind that way. My stomach has been one of my main troubles all my life. But I can eat almost anything I want to now and it never distresses me since I am using Alvita Tablets. They are certainly a wonderful remedy. \* \* \* I have used 1½ boxes and with great benefit. Mine was a case of urinary derangement and kidney trouble, and with a man in his eightieth year this might have been called hopeless. Not so, however, with the Alvita treatment. \* \* \* This Alfalfa booklet has been prepared so that you may know to what extent we have developed the therapeutic value of the Alfalfa Plant. \* \* \* all of these essential organic minerals which the child needs made available in the several Alvita products. \* \* \* that one-half of the people of the country are suffering from the lack of lime which they do not get from excessive meat eating, for flesh of animals carries practically no mineral. Lime is deposited in the bones of animals. To get the needed lime and other minerals in a vegetable form use the Alvita products made from Alfalfa, which contains more digestible mineral than any other plant that grows. \* \* \* For perfect health, there must be good assimilation of the food eaten and complete elimination of wastes. The Alvita products have both these properties very strong—assimilation through the aid of Vitamines and the Enzymes or digestive ferments and the elimination because of the diuretic and laxative effects of the combined salts, upon the kidneys, the bowels and all the glands of the body. \* \* \* a genuine regulator of the bowels;" (Alvita tea, carton) "Alvita Alfalfa—Vitamines are Life \* \* \* contains vitamines without which life itself cannot exist \* \* \* aids digestion and eliminates waste matter from the system;" (white leaflet and yellow circular) "A \* \* \* healthful drink \* \* \* alkaline salts in this alfalfa ash \* \* \* make a wonderful neutralizant for acid condition of the body. They are necessary for growth, and as they are of vegetable origin, can be assimilated easily and quickly by the most sensitive stomach \* \* \* we have \* \* \* a drink that \* \* \* will \* \* \* be of benefit to your system;" (yellow leaflet) "Fermentation or a 'sour' condition is responsible for a great many bodily troubles;" (white leaflet) "We strongly recommend it as a beverage for expectant mothers;" (statements in labeling of Alvita tea relating to Alvita tablets, white leaflet) "to be used in the treatment of kidney, bladder and prostatic gland trouble and as a general tonic \* \* \* We feel so certain that they will produce most satisfactory results that we give an absolute guarantee of refund \* \* \* If you do not receive beneficial and satisfactory results your money will be refunded;" (yellow circular or leaflet) "health-giving \* \* \* rich in nature's precious mineral salts \* \* \* a treatment for rejuvenating your whole system if you are in a run down condition, caused from kidney or bladder trouble, inability of the stomach to assimilate food, prostatic irritation, irritable condition of the urinary organ, lack of appetite or continual loss of weight \* \* \* secures the organic minerals so essential to the human system;" (display card) "essential to health, to be used in the treatment of kidney, liver and bladder ailments, prostate gland trouble, rheumatism, and a general tonic for a run down condition \* \* \* For all kidney, bladder and prostatic trouble."

Misbranding was alleged with respect to the Alvita tea for the further reason that the following statements borne on the labels were false and misleading: (carton) "Alvita Tea Vitamines A Taste O' Sunshine \* \* \* in addition to all three classes of Vitamines, Alvita Tea contains the salts and acids of mineral ash. It is rich in food value. A food drink."

On March 2, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15062. Misbranding of Walnut Wine "Prieto" (Vino De Nogal). U. S. v. 24 Dozen Bottles, et al., of Walnut Wine "Prieto" (Vino De Nogal). Default decrees entered. Product adjudged misbranded and ordered destroyed. (F. & D. Nos. 21387, 21445. I. S. No. 10974-x. S. Nos. W-2043, W-2052.)**

On or about November 27 and December 8, 1926, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 24 dozen bottles, and 356 bottles of Walnut Wine "Prieto" (Vino De Nogal), remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Indian Laboratory Co., from Laredo, Texas, in various consignments, on or about October 9, 14, and 25, and November 17, 1926, respectively, and transported from the State of Texas into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the product consisted essentially of a hydroalcoholic solution of sugar, glycerin, caramel, strychnine, and plant material.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (bottle and carton, English) "to build up the system \* \* \* it is the combination of several herbs, each combating a special ailment of the system thus giving the walnut properties a chance to enrich the blood. Take this tonic and you will do away with Malaria, Anemia, Rheumatism, Asthma, etc.;" (Spanish) "For paludism, anemia, intermittent fevers, internal rheumatism, asthma, pains in the region of the waist, kidneys, irritation of the intestines and bladder, etc.;" (carton, English) "For malaria, anemia, hay fever, rheumatism, asthma, run-down condition of the muscles, kidneys, irritation of intestines, bladder and so forth. A treatment of 'Prieto' Walnut Wine will bring strength and appetite to weak children. The best wine to purify and enrich the blood;" (circular, Spanish) "A constructor of red corpuscles and pure blood. This composition of fifteen herbs has been found among the natives for hundreds of years, it being the only doctor and the only God in whom they reposed complete confidence for curing them of their diseases. Wine of Nogal is not intended for a single disease of the blood, although it is certain that most diseases result therefrom \* \* \* soothes the stomach and head. It combats secret diseases, rheumatism and sterility. \* \* \* combats hypochondria, lead colic, mental derangement, epilepsy, neuralgia and convulsion. \* \* \* scarcity of menstruation, scorbutus, and in general for persons who suffer general debility. It has another herb for paludism which \* \* \* has been regarded as the only remedy for intermittent fevers. \* \* \* tonic which is preferred by suffering humanity everywhere;" (testimonials) "I had suffered a long time with hemicrany, pain in the back, and sometimes I felt exhausted, owing to lack of respiration. A sort of asthmatic condition. Finally my period failed to appear thus causing a rush of blood to the head which left me deaf. It was impossible for me to work until one day a friend advised me to take Wine of Nogal, and with six bottles the period returned and all my bodily pains disappeared as though by magic \* \* \* For nine years I suffered with hemicrany, bad digestion, nervousness, pain in the kidneys, fatigue, I was sterile and had no vitality. \* \* \* Without more delay I purchased seven bottles and I now weigh 15 pounds more. All my disorders have disappeared and I have regained all that I had lost and raise my hands to Heaven and say there is no tonic equal to Wine of Nogal and I repeat this to all those who suffer as I suffered and tell them to take Wine of Nogal before taking anything else. \* \* \* I suffered with rheumatism, bad digestion, pains in the side and heart which prevented me from working. I began to take the marvelous Wine of Nogal and experienced immediate relief."

Misbranding was alleged for the further reason that the statements "Contains 10% Alcohol," "Passed by the U. S. Food Administration," (Spanish) "The Board of Health of the United States was also kind enough to admit it owing to the enrichment of medicinal herbs which it contains," borne on the bottle and carton labels, were false and misleading.

On March 25, 1927, no claimant having appeared for the property, decrees were entered adjudging the product misbranded and ordering its destruction by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15063. Misbranding of Depurativo Cacique. U. S. v. 213 Bottles of Depurativo Cacique. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21716. I. S. No. 14521-x. S. No. E-6013.)**

On or about March 18, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 213 bottles of Depurativo Cacique, at Camuy, P. R., alleging that the article was being offered for sale in the Territory of Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the article consisted essentially of mercuric chloride, potassium chloride, sodium sulphate, alcohol, and water, with sarsaparilla flavoring.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative or therapeutic effects of the said article, borne on the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (carton and bottle, Spanish translated) "Depurative \* \* \* Depurative For The Blood \* \* \* for certain syphilitic and skin affections acute or chronic Rheumatism;" (circular, Spanish translated) "Depurative \* \* \* for syphilis and all affections of the blood of syphilitic origin. Also for chronic ulcers, acute articular rheumatism, herpes and other skin affections due to impurity of the blood. This depurative has always given satisfactory results for diseases of the blood. It is only necessary to follow carefully a sure treatment and not interrupt it until the desired results are obtained."

On April 19, 1927, Francisco de Jesus, Camuy, P. R., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15064. Adulteration and misbranding of morphine sulphate tablets, morphine sulphate and strychnine sulphate tablets, tincture of opium (laudanum), and tincture of belladonna leaves. U. S. v. First Texas Chemical Manufacturing Co. Plea of nolo contendere. Fine, \$200. (F. & D. No. 21564. I. S. Nos. 3978-x, 3980-x, 3981-x, 3987-x.)**

On March 3, 1927, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the First Texas Chemical Mfg. Co., a corporation, Dallas, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about December 12, 1925, from the State of Texas into the State of Louisiana, of quantities of morphine sulphate tablets, morphine sulphate and strychnine sulphate tablets, tincture of opium (laudanum), and tincture of belladonna leaves, which were adulterated and misbranded. The articles were labeled variously: "Hypodermic Tablets Morphine Sulphate  $\frac{1}{8}$  gr. Guaranteed by First Texas Chemical Mfg. Co., Dallas, Texas;" "Hypodermic Tablets Morphine and Strychnine \* \* \* Morphine Sulphate  $\frac{1}{4}$  gr. Strychnine Sulphate 1/60 gr. First Texas Chemical Mfg. Co., Dallas, Texas;" "Tincture Opium, U. S. P. (Laudanum) \* \* \* Opium, granulated 45.6 grs. in each fl. oz. \* \* \* Manufactured by First Texas Chemical Mfg. Co., Dallas, Texas;" "Tincture Belladonna Lvs. U. S. P. \* \* \* First Texas Chemical Mfg. Co.—Dallas, Texas."

Analysis by this department showed that a sample of the morphine sulphate tablets, labeled " $\frac{1}{8}$  gr.," contained  $\frac{1}{9}$  grain of morphine sulphate per tablet, that a sample of morphine sulphate and strychnine sulphate tablets, labeled "morphine sulphate  $\frac{1}{4}$  gr., strychnine sulphate 1/60 gr.," contained  $\frac{1}{5}$  grain and  $\frac{1}{75}$  grain, respectively, that the tincture of opium yielded not more than 0.8484 gram of anhydrous morphine per 100 cc., which is 10 per cent below the minimum requirement of the Pharmacopeia, that the tincture of belladonna leaves yielded not less than 0.0421 gram of the alkaloids of belladonna leaves per 100 cc., which is 27 per cent in excess of the maximum requirement of the Pharmacopeia.

Adulteration of the morphine sulphate tablets and the morphine and strychnine sulphate tablets was alleged in substance in the information for the reason that their strength fell below the professed standard under which they were sold, in that the labels represented the said tablets to contain  $\frac{1}{8}$  grain of morphine



sulphate, or  $\frac{1}{4}$  grain of morphine sulphate and  $\frac{1}{60}$  grain of strychnine sulphate, as the case might be, whereas each of a number of said tablets contained less of the products than represented by the label thereof.

Misbranding of the morphine sulphate tablets and the morphine and strychnine sulphate tablets was alleged for the reason that the statements, to wit, "Morphine Sulphate  $\frac{1}{8}$  gr.," or "Morphine Sulphate  $\frac{1}{4}$  gr.," and "Strychnine Sulphate  $\frac{1}{60}$  gr.," as the case might be, borne on the labels of the respective articles, were false and misleading in that the said statements represented that each of said tablets contained the amount of the products declared on the label thereof, whereas each of a number of said tablets contained less than so declared.

Adulteration of the tincture of opium was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength as determined by the test laid down in said Pharmacopœia, official at the time of investigation of the article, in that it yielded not more than 0.8484 gram of anhydrous morphine per 100 mils, whereas the Pharmacopœia provided that 100 mils of tincture of opium should yield not less than 0.95 gram of anhydrous morphine, and the standard of strength of the article was not plainly stated on the container thereof. Adulteration of the tincture of opium was alleged for the further reason that its strength fell below the professed standard under which it was sold, in that each fluid ounce of the article was represented to contain 45.6 grains of opium, that is, 45.6 grains of granulated opium, whereas it did not, but did contain a less amount, namely, not more than 36.9 grains.

Misbranding of the said tincture of opium was alleged for the reason that the statements, to wit, "Tincture Opium U. S. P. (Laudanum)," and "Opium, granulated 45.6 grs. in each fl. oz.," borne on the label, were false and misleading in that the said statements represented that the article was tincture of opium (laudanum) as defined by the United States Pharmacopœia and that each fluid ounce contained 45.6 grains of opium, that is, 45.6 grains of granulated opium, whereas it was not tincture of opium as defined by said Pharmacopœia, in that it yielded not more than 0.8484 gram of anhydrous morphine per 100 mils, whereas said Pharmacopœia provided that 100 mils of tincture of opium should yield not less than 0.95 gram of anhydrous morphine, and each fluid ounce of the article did not contain 45.6 grains of opium, but did contain a less amount.

Adulteration of the tincture of belladonna leaves was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength as determined by the test laid down in said Pharmacopœia, official at the time of investigation of the article, in that the said article yielded not less than 0.0421 gram of the total alkaloids of belladonna leaves per 100 mils, whereas said Pharmacopœia provided that 100 mils of tincture of belladonna leaves should yield not more than 0.033 gram of the total alkaloids of belladonna leaves.

Misbranding of the tincture of belladonna leaves was alleged for the reason that the statement, to wit, "Tincture Belladonna Lvs. U. S. P.," borne on the label, was false and misleading in that the said statement represented that the article was tincture of belladonna leaves as defined by the United States Pharmacopœia, whereas it was not, in that it yielded more than 0.033 gram of the total alkaloids of belladonna leaves per 100 mils of the article, whereas said Pharmacopœia provided that tincture of belladonna leaves should yield not more than 0.033 gram of the total alkaloids of belladonna leaves.

On May 12, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

W. M. JARDINE, *Secretary of Agriculture.*

**15065. Misbranding of The Life Saver. U. S. v. 20 Bottles of The Life Saver. Default order of destruction entered. (F. & D. No. 21668. I. S. No. 11119-x. S. No. W-2095.)**

On or about March 4, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 bottles of The Life Saver, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by M. Arizpe, from San Antonio, Tex., on or about January 8, 1927,

and transported from the State of Texas into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the article was a hydroalcoholic solution of sugars, glycerin, acetic acid, saponin-like glucoside, and resin-bearing plant extractives.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (bottle label, English) "The Life Saver \* \* \* For Tuberculosis, Asthma, Colds, Coughs and all Lung Troubles;" (bottle label, Spanish translated) "The Life Saver \* \* \* for the lungs of anemic Persons who are lacking in flesh and blood \* \* \* for Tuberculosis, Asthma, Coughs, Hoarseness and Catarrh of the Chest, Lungs and Stomach. \* \* \* the more one takes the more effective and rapid will be the results;" (carton, English) "The Life Saver \* \* \* for Tuberculosis, Asthma, Colds, Coughs, La Grippe, Hoarseness, Pneumonia and all Lung Troubles;" (carton, Spanish translated) "The Life Saver \* \* \* for combating Tuberculosis, Asthma, Colds, Coughs, Grippe, Pneumonia, 'Oguillo' and hoarseness and of great value for weak or affected Lungs and the respiratory organs, \* \* \* many persons who have been cured with 'Life Saver';" (pink circular, English) "for Tuberculosis, Asthma, Colds, Coughs, Catarrh and the best tonic for the Stomach, Blood, Nerve and Lung Troubles;" (pink circular, Spanish translated) "The Life Saver \* \* \* for Tuberculosis, Asthma, Coughs, Colds of Long Standing, Catarrh of the Chest, Stomach or Intestines and the best Tonic for the Blood, Stomach, Nerves and Lungs;" (circular, "Lista De Especificos," Spanish, translated) "The Life Saver For Colds of long standing, Pneumonia and Catarrh in the Chest \* \* \* for the lungs, nerves and blood;" (circular, "Testimonios De Gratitud," Spanish, translated) "I had been suffering with a cold for a long time and had found no medicine that helped me until I tried 'Life Saver' \* \* \* I \* \* \* suffered with two terrible diseases, asthma and catarrh, for a period of 50 years. I have taken only 2 bottles of the tonic 'Life Saver' and have received more benefit from it than with all the others I have tried. I consulted a great many doctors and used their medicines to no purpose until one of them told me that it was phthisis. I then commenced to use 'Life Saver,' the tonic which has relieved my suffering \* \* \* I have been using with success the tonic 'Life Saver' for a serious cold."

On April 14, 1927, no claimant having appeared for the property, a decree of the court was entered, adjudging the product misbranded and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15066. Misbranding of Protecto spray. U. S. v. 9 Cases of Protecto Spray. Default decree of destruction entered. (F. & D. No. 21747. S. No. W-2113.)**

On or about March 22, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 cases of Protecto spray, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Salol Chemical Co., Chicago, Ill., on or about February 25, 1927, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the article consisted essentially of a solution in glycerin of phenol, salicylic acid, boric acid, and a trace of volatile oil.

It was alleged in the libel that the article was misbranded, in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (bottle label) "Protecto Spray Antiseptic Germicide \* \* \* Destroys Germ Life Healing \* \* \* Indicated in the Treatment and Prevention of Female Diseases \* \* \* For Leucorrhea or Whites One to two teaspoonfuls to quart of warm water After Child-Birth Two teaspoonfuls to a quart hot water For Other Offensive or Infectious Discharges One to two teaspoonfuls to quart of hot water daily To Allay Inflammations, Destroy Disease Germs and as a Preventative One



teaspoonful to quart of warm water \* \* \* has a \* \* \* healing action \* \* \* it preserves the natural secretion."

On April 14, 1927, no claimant having appeared for the property, a decree of the court was entered, adjudging the product misbranded and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15067. Misbranding of Amargo De Agave. U. S. v. 36 Dozen Bottles of Amargo De Agave. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21715. I. S. No. 14520-x. S. No. E-6015.)**

On or about March 19, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 dozen bottles of Amargo De Agave, in possession of the Regional Medicine Co., Anasco, P. R., alleging that the article was being sold and offered for sale in the Territory of Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the product was a hydroalcoholic solution containing iodide of potash and plant drugs, including sarsaparilla.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (carton and bottle labels, Spanish translation) "Syphilis, Herpes, Ulcers, Rheumatism And Other Infections And Impurities Of The Blood. Depurative And Reconstituent;" (English portion) "For Syphilis, Herpes, Ulcers, Rheumatism And Diseases Of The Blood;" (circular, Spanish, translated) "A Depurative \* \* \* gives good results for diseases of the blood \* \* \* for the treatment of the blood \* \* \* results \* \* \* in cases where mercury has failed \* \* \* Used \* \* \* in cases of Syphilis, Herpes, Ulcers, Pimples, Skin affections, Tumors, Hemorrhoids, Eczema, Itching, Inflammations and pains in the bones and head In Rheumatism, articular and muscular pains, its action is beneficial and its results not like other preparations in which the relief is only momentaneous. For Asthma, it gives good results, it clears the respiratory tract and insures a steady relief \* \* \* In cases of syphilis and ulcers \* \* \* In cases of rickets and scrofula in children."

On April 2, 1927, R. Arrillaga, Anasco, P. R., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of without first having been properly labeled as required by law.

W. M. JARDINE, *Secretary of Agriculture.*

**15068. Adulteration and misbranding of prickly ash bark. U. S. v. 7 Bales of Prickly Ash Bark. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21362. I. S. No. 14172-x. S. No. C-5255.)**

On November 3, 1926, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 bales of prickly ash bark, remaining in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped by R. T. Greer & Co., from Marion, Va., on or about July 27, 1926, and transported from the State of Virginia into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "S O P Ash Bk."

Analysis by this department showed that the article was the stem bark of *Aralia spinosa* L., not *Xanthoxylum Clava-Herculis* L., southern prickly ash bark.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, or purity of the official article. Adulteration was alleged for the further reason that its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statement "S O P Ash Bk," borne on the label, was false and misleading, and in that the article was offered for sale under the name of another article.

On April 13, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15069. Misbranding of Arium tablets. U. S. v. 3 Dozen Packages, et al., of Arium Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 21113, 21114, 21115. S. Nos. E-5726, E-5727, E-5728.)

On June 12, 1926, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 8-11/12 dozen boxes of Arium tablets, remaining in the original unbroken packages in part at Hartford, Conn., and in part at New Haven, Conn., alleging that the article had been shipped by the Associated Radium Chemists, Inc., New York, N. Y., in various consignments, on or about April 15, 18, and 29, 1926, respectively, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the tablets contained lithium carbonate, starch, and talc, with a trace of radium.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the results claimed: (box label) "The most beneficial effects;" (circular in box) "How Arium Works and what it does fully explained, healing, invigorating, youth-giving 'Substance of the Sun' Brings new force to sick and ailing Amazing new free book (Fully illustrated) explains how all weak, afflicted and worn-out folks may quickly produce vitalizing internal exercise of every gland and organ—banishing aches, pains and distress—restoring strength, energy and power to body and brain. New data on stomach, kidney, liver, bladder, prostate, blood and nervous disorders as well as rheumatic ailments, all of which are now prevalent to a serious extent, has been brought to light by scientists. This is fully explained in the amazing new book 'The Substance of the Sun—Giver of Supreme Vitality'. It means increased strength, power and endurance for men, renewed health, energy and beauty for women. Thousands are already obtaining most marvelous benefits. The Free Book gives special information to sufferers from nervous debility, neurasthenia, premature old age, infirmities, headaches, pressure in back of head and neck, irritability, mental depression, prickly sensations, melancholy, poor memory, rundown condition, lowered vitality, glandular weakness, prostate trouble, absence of full vigor, depleted 'Sex Force', lack of control, tired feeling, dull ache at base of spine and in small of the back, pains in the groins and legs, shaky hands and limbs, weakened will power, etc. Blood disorders, thin, pale, watery blood, anaemia, poor circulation, congestion, high blood pressure, hardening of the arteries, arterio-sclerosis, skin eruptions, loss of weight, excessive flesh, nervousness, poor appetite, etc. Rheumatic Ailments, neuritis, neuralgia, gout, lumbago, arthritis, soreness in the joints and muscles, aches, pains, etc.—A cause of heart disease. Stomach and Intestinal Troubles. Indigestion, gas, flatulence, bloating, dyspepsia, acidosis, coated tongue, offensive breath, colic, distress after eating, catarrh of the stomach, poor appetite, constipation, irregular bowel movement and chronic diarrhoea or dysentery. Kidney Complaints, torpid liver, bladder irritation and weakness, backache, headache, twinges of pain, frequent desire to urinate, getting up nights, sleeplessness, dizziness, biliousness, chilly sensation, spots before the eyes, etc. Therefore, if you are a sufferer from any of these ailments and want to quickly and most astonishingly improve your condition, you owe it to yourself to send at once for this marvelous new illustrated Free Book, 'The Substance Of The Sun—Giver Of Supreme Vitality' Delays Are Dangerous Act Now \* \* \* Here Is A Valuable And Tested Method For Your Guidance In Checking Up On Your Condition. You may not realize just how much below normal you are. In order to give you an easy, satisfactory manner in which to decide, the list below is given here so that you may easily check up on your own condition.



The Conditions In The List Marked With An Asterisk (\*) Show Of Themselves That You Should Most Certainly Use Arium Regularly And Persistently, Even If You Have None Of The Other Complaints. Do you tire easily? 5% Are you nervous? 5% Are you irritable? 10% Do you feel tired in the morning when you first get up? 3% Are your hands and feet cold frequently? 3% Do you take cold easily? 2% Do the bones ache? 2% Do you ever have chills? 3% \*Do you suffer from rheumatism, neuralgia, neuritis or gout? Do your joints swell? 4% Are you drowsy? 5% Are the face, hands and tongue pale? 3% Is your circulation poor? 5% \*Is your blood pressure too high or low? \*Are there any eruptions on the body? Do you have frequent headaches? 5% Do you have dizziness at times? 3% Do you ever have sharp or dull pains around the heart? 2% Does your face flush easily? 5% Is your appetite poor? 4% Do you have any distress after meals? 3% Any bloating? 4% Is your breath offensive? 5% Tongue coated? 3% Do you have bad taste in the mouth? 5% Do you have pains or soreness of the chest? 2% Are the bowels irregular? 8% Are you ever troubled with constipation? 6% Is your back weak? 4% \*Do you have back-ache? Do you have a desire to urinate frequently? 3% Do your hands and feet swell? 5% Is there any fullness under the eyelids? 3% \*Is your neck swollen or enlarged (Goitre)? \*Are your vital powers weakened? \*Do you suspect trouble with the prostate gland? \*Do you feel the infirmities of age? Do you have trouble with the bladder? 5% Are you troubled with sleeplessness? 10% Do you have sour, watery or windy risings from the stomach? 3% \*Are you low spirited and subject to the blues? \*Does your brain lack alertness at times? \*Does your memory fail? \*Are you too thin or underweight? \*Have you excessive flesh? Grand Total. Keep the foregoing list and refer to it from time to time as you continue the use of Arium and such other radium preparations as you require. Watch from day to day how the alarming symptoms disappear and your rapid approach toward a normal state of efficiency vigorous health strength and activity;" (booklet in box) "A new scientific principle for supplying to the human body the remarkable energy and power of genuine radium in a pure, harmless and wholesome form. \* \* \* Arium \* \* \* has a stimulating and tonic effect that is entirely different from that of any drug or medicine known. It gives just the added force and power needed by the human body and is accepted by the blood, tissues and entire system just as withering plants accept sunshine and rain and are revived by them. The uses of Radium as supplied in Arium are many and varied \* \* \* It should be especially valuable among all classes of people for use in cases of general debility, simple anaemia, signs of old age, weakened nerve force, poor circulation, digestive disturbances, hardening of the arteries, sleeplessness, rheumatism and inflammation of the joints, etc. Arium for everyone. Arium is not designed for sick people alone. In fact it is equally recommended for those who have no ailments, but who desire that super-vigor which means so much in the fullest enjoyment of life. \* \* \* For chronic cases \* \* \* While surprising results are often obtained from a short course of Arium, its action is not that of temporary stimulant, but of a nutritive, health-building, energy-giving agent of unusual value. To derive the most beneficial results and get the full accumulative value of the radium, Arium should be taken regularly and systematically. \* \* \* When your nerves are soothed, your muscles and organs function normally, pains are gone and your whole organism seems to be operating smoothly, you will know that Arium has done its work. So pleasant will be the feeling of stimulation from radium that you will never want to let the beneficial effects of radioactivity get out of your body. \* \* \* Marvelous form of natural energy. \* \* \* What it may do for you \* \* \* Arium feeds the body with energy like giving a fresh charge of current to a run-down storage battery. Arium revitalizes organic matter as nothing else can. Arium stimulates the circulation of the blood, as well as the tissues, mental faculties, etc. Arium makes the entire system feel the influence of the greatest force known to mankind in the most pleasing manner. Arium gives a direct positive action almost immediately to every part of the body. Arium gives new strength, fresh ambition, sparkling vitality, invigorates the constitution and instills a feeling of renewed youth. Arium improves blood and glands. Arium will increase the red blood cells enormously in many cases, thus enriching the blood and correcting the circulation. Arium helps bring down blood pressure and adds vigor and force to the entire blood system, making it more potent to fight off disease, anemia, etc. Arium helps restore arteries to a pliable condition. Arium helps invigorate the ductless glands and regulate their secretions, thereby setting up healthy glandular functioning which is the real answer to the perfect charm of

womanhood and the virile strength of manhood. For general debility Arium will impart the right kind of energy to the organs and make you feel energetic, virile and vigorous. In this way it will help overcome general debility and enable you to live a normal healthy life. Even elderly people will feel the thrilling vibrations of positive youthful virility. Arium will help overcome sluggishness by carrying off waste and poisonous matter and in this way will purify, invigorate and tone up the system. Arium for rheumatic troubles, poor appetite, nervousness. Arium helps scatter inflammation and eliminate uric acid and poisonous carbon dioxide from our bodies thus relieving us of the different ailments most of us have, neuralgia, neuritis, etc. Arium stimulates the glands in the digestive tract and sharpens our appetites as well as helping our digestive organs to do their work. Arium acts on the tissues of our nerves to strengthen and soothe them, thus bringing peace and restfulness to those who are nervous. Arium does what drugs cannot do because it acts in a natural physical manner entirely. Arium by keeping the body radio-active, helps keep us immune from a great many of the diseases and epidemics that are constantly occurring. \* \* \* How Radium was discovered to be good for us. \* \* \* tremendously vital force of the ages. At first it was not known that Radium could be used for curative purposes. For years, however, physicians were unable to account for the marvelous results obtained from certain spring waters, while others of exactly the same chemical analysis gave very little beneficial results. The mystery was not solved until it was found that the health-giving springs contained radium in very small amounts. The medical world then knew that radium had tremendous influence on the human body, that by drinking radio-active spring waters one could take into his body a definite amount of radium energy which permeated the whole system and accomplished wondrous results. Yet each Arium tablet contains from 100 to 1,000 times as much radium as a quart of many radio-active spring waters. It was noticed too that people who work in radium mines enjoyed remarkable health and robust strength. Apparently, simply breathing the emanations from radium kept them free from neuritis, rheumatism, neuralgia, hardening of the arteries, headaches, digestive disorders and a hundred other maladies. It kept them filled with the feeling of youth \* \* \*. Discovery of Arium Perhaps not since the discovery of the element of radium itself has Science achieved a greater triumph than in the discovery of a means for placing in the human body the greatest form of harmless, yet powerful energy ever known to the world. It seems that it was by the hand of Fate, working for the benefit of humanity, that Arium was discovered in Paris where Radium itself was discovered. \* \* \* Under the trade-mark name of Arium the marvelous, health-giving energy of radium is prepared in tablet form. \* \* \* Arium may be used with beneficial results by men, women and children. Just Why the Body Needs Radium Physicians know that many of the foods we eat tax our digestive organs to such an extent that little energy remains in our bodies for any other work. In other words, the power or energy—the force that moves us—that is supplied by our morning meal is largely used up to digest and assimilate the noon meal and there is little reserve force for the many needs of the body. We must have surplus energy—extra power—and that is exactly what radium feeds to the system—that surplus power or energy which governs our intelligence, our dispositions, and in fact, determines whether we are to be winners in the game of life or losers. Supplies Energy Lacking in Foods. Science has shown that many human ills may be directly traced to the fact that most people fail to eat the proper kind of food. Yet every act that we do during our lifetime—even the winking of an eyelash—saps some portion of our energy, tears down tissues and lessens our resistance to disease. Thus, because our food is robbed of its up-building, vital forces, there is nothing to replace old wornout tissues and keep the body filled with the abundance of strength and energy Nature intended. As a result there is a noticeable loss of vitality of one kind or another and that is why so many people you meet always have something the matter with them. It is to prevent this very thing that radium is recognized as the most potent force ever known. Radium is a natural stimulator and up-building agent for all the tissues and organs of the body. How Arium Gives You The Life Building Energy of Radium. When you take Arium tablets they liberate millions of rays of energy while in the body and these rays give the tissues an agreeable stimulus tending to produce a harmless, gentle internal massage that induces normal functioning of the organs, muscles, etc. Arium acts as the carrier of enormous energy in the body as nothing else possibly can. Radium,



which is in each Arium tablet, has been called the very essence of life. Some physicians have described it as life itself, and one distinguished physician speaks of it as the greatest benefit to mankind that has ever emanated from the laboratory of the Almighty. Many physicians believe radium to be a tremendous factor in materially lengthening life. When you take Arium you should become conscious of a feeling of extreme well-being with a sense of healthful exhilaration and buoyancy. You will become aware of some strange mystic form of energy that opens up for you a new world of health, pleasure and happiness. Marvelous Action of Arium. The action of Arium is direct—not indirect. It produces a kind of energy within the body that is absolutely necessary to the human system for the building of that surplus strength and endurance which is so necessary to ward off sickness and prolong life and youth. Tonics for the blood alone may give benefit for a time—so may a drug or quieting potion for the nerves or the proper treatment for the liver or kidneys, but the force of radium as supplied in Arium reaches the nerves, tissues, blood, muscles, bone, sinew, skin, stomach, liver, kidneys and every vital organ of the entire body all at the same time. Not only this, but added power is given to each separate tiny cell and bodily force that binds the organs together to help make them function properly. From time immemorial physicians have administered drugs and medicines for all illness but we are now approaching what might be termed a 'Drugless Age,' for radium has opened up to the world an opportunity to obtain a direct application of energy to the body to perform its mysterious wonders in a way that is not possible with ordinary stimulants or drugs;" (display card in cartons containing portion of product) "Amazing New Discovery For Run-Down People Builds Strong Nerves Rich Red Blood and Youthful Health Success Guaranteed or Money Back."

On July 28, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15070. Adulteration and misbranding of codeine sulphate tablets, fluid extract belladonna leaves, tincture cinchona, tincture of cinchona compound, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets. U. S. v. Smith, Kline & French Co. Plea of guilty. Fine, \$300. (F. & D. No. 21560. I. S. Nos. 6064-x, 6069-x, 6070-x, 6126-x, 6127-x, 6128-x, 6131-x, 6134-x, 6135-x, 6139-x, 6251-x, 6253-x, 6911-x.)**

On May 23, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Smith, Kline & French Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, in various consignments, from the State of Pennsylvania into the States of New York and New Jersey, between the approximate dates of July 6, 1925, and December 10, 1925, of quantities of codeine sulphate tablets, fluid extract belladonna leaves, tincture cinchona, tincture of cinchona compound, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets, which were adulterated and misbranded. The articles were labeled, in part: "Smith, Kline & French Co. Philadelphia," and were further labeled, in part, as hereinafter set forth.

Adulteration of the codeine sulphate tablets, atropine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, heroine hydrochloride tablets, and diacetyl morphine hydrochloride tablets was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1/2 grain of codeine sulphate, 1/100 grain of atropine sulphate, 1/60 grain of atropine sulphate, 1/100 grain of nitroglycerin, 1/60 grain of strychnine sulphate, 1/30 grain of strychnine sulphate, 1/50 grain of nitroglycerin, 1/12 grain of heroine hydrochloride, or 1/12 grain of diacetyl morphine hydrochloride, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

Misbranding of the said tablets was alleged for the reason that the statements, to wit, "Tablet Triturates \* \* \* Codeine Sulphate \* \* \* 1/2 Grain," "Tablet Triturates \* \* \* Atropine Sulphate 1-100 Grain," "Tablet Triturates \* \* \* Atropine Sulphate 1-60 Grain," "Soluble Hypodermic Tablets \* \* \* Atropine Sulphate 1-100 Gr.," "Tablets \* \* \* Nitro-

glycerin 1-100 Grain," "Soluble Hypodermic Tablets \* \* \* Strychnine Sulphate 1-60 Grain," "Tablets \* \* \* Strychnine Sulphate 1-30 Grain," "Tablets \* \* \* Nitroglycerin 1-50 Grain," "Tablets \* \* \* Heroin Hydrochloride 1-12 Grain," or "Tablet Triturates \* \* \* Diacetyl Morphine Hydrochloride 1-12 Gr.," as the case might be, borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, whereas, the said tablets contained less than so declared.

Adulteration of the fluid extract belladonna leaves was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to contain 0.3 gram of alkaloids of belladonna leaves in 100 cubic centimeters, whereas, it contained more than 0.3 gram of the alkaloids of belladonna leaves in 100 cubic centimeters, to wit, 0.434 gram of the total alkaloids of belladonna leaves in 100 cubic centimeters.

Misbranding of the said fluid extract belladonna leaves was alleged for the reason that the statement, to wit, "Fluid-extract Belladonna Leaves Assayed and Standardized 0.3 Gm. of alkaloids in 100 Cc.," borne on the label, was false and misleading in that the said statement represented that the article contained 0.3 gram of alkaloids of belladonna leaves in 100 cubic centimeters, whereas it contained more than 0.3 gram of the alkaloids of belladonna leaves in 100 cubic centimeters.

Adulteration of the tincture cinchona and the tincture of cinchona compound was alleged for the reason that they were sold under and by names recognized in the United States Pharmacopœia and differed from the standards of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia official at the time of investigation of the said articles, in that the former yielded less than 0.8 gram of the alkaloids of cinchona per 100 mls, to wit, not more than 0.643 gram of the alkaloids of cinchona per 100 mls, whereas the said Pharmacopœia provides that tincture cinchona should yield not less than 0.8 gram of the alkaloids of cinchona per 100 mls, and the latter yielded less than 0.4 gram of the alkaloids of cinchona per 100 mls, to wit, not more than 0.359 gram of the alkaloids of cinchona per 100 mls, whereas said Pharmacopœia provides that tincture of cinchona compound should yield not less than 0.4 gram of the alkaloids of cinchona per 100 mls, and the standard of the strength, quality, and purity of the said articles was not declared on the containers thereof. Adulteration of the tincture cinchona was alleged for the further reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to yield 0.90 gram of, to wit, the alkaloids of cinchona per 100 cubic centimeters, whereas it yielded less than 0.90 gram of the alkaloids of cinchona per 100 cubic centimeters, to wit, 0.643 gram of the alkaloids of cinchona per 100 cubic centimeters.

Misbranding of the tincture cinchona and the tincture of cinchona compound was alleged for the reason that the statements, to wit, "Tincture Cinchona U. S. P. \* \* \* Assayed and standardized 0.90 Gm. of Alkaloids in 100 Cc." or "Tincture of Cinchona Compound U. S. P.," borne on the labels of the respective articles, were false and misleading in that the said statements represented that the articles conformed with the tests laid down in the United States Pharmacopœia, and that the tincture cinchona contained 0.90 gram of, to wit, the alkaloids of cinchona per 100 cubic centimeters, whereas the articles did not conform with the tests laid down in the Pharmacopœia, and the tincture cinchona contained less than 0.90 gram of the alkaloids of cinchona per 100 cubic centimeters.

On June 22, 1927, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$300.

W. M. JARDINE, *Secretary of Agriculture.*

**15071. Misbranding of Reno's New Health Uterine tonic. U. S. v. 24 Dozen Bottles of Reno's New Health Uterine Tonic. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21516. I. S. No. 14508-x. S. No. E-5930.)**

On or about January 11, 1927, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 dozen bottles of Reno's New Health Uterine tonic, at San Juan, P. R., alleging that the article had been shipped by S. B. Leonardi & Co., New York, N. Y., on or about February 11, 1926, and was being offered for sale and sold in the Territory of Porto Rico, and charging misbranding in violation of the food and drugs act as amended.



Analysis by this department showed that the article contained extracts of vegetable material, including berberine, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination or ingredients capable of producing the effects claimed: (Blown on bottle) "New Health Uterine Tonic;" (carton label) "New Health Uterine Tonic \* \* \* A woman's medicine \* \* \* Valuable tonic and sedative \* \* \* This product contains ingredients which have been used by many leading physicians making a specialty of the study and treatment of women's diseases due to catarrhal or inflamed condition of the womb, i. e., leucorrhoea or whites, irregular or painful menstruation. Its sedative and tonic properties make it very beneficial in nervous exhaustion, sleeplessness, hysteria or irritability resulting from uterine or ovarian inflammation;" (circular) "Reno's New Health Uterine Tonic. Used in such female disorders as painful or irregular menstruation and nervous irritability due to uterine or ovarian inflammation—disorders of the female reproductive organs are among the most frequent and distressing ailments to which human flesh is heir. If neglected in the beginning they often lead to a life-long and intense suffering; but when attended to in time they frequently yield to proper treatment. They should avoid taking narcotic drugs which simply relieve pain without removing its cause. Painful menstruation. In painful menstruation \* \* \* irregular menstruation. When the menstrual flow is irregular. Commencing menstruation. In the case of young girls in whom menstrual life is just beginning. Change of life. Women experiencing the change of life. Note: Reno's New Health Uterine Tonic gives best results when it is used throughout the entire time in which the flow is absent;" (similar labeling in Spanish and [carton] other foreign languages).

On May 13, 1927, S. B. Leonardi & Co., Inc., New York, N. Y., having appeared as claimant for the property and having admitted the material allegations of the libel, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it should not be sold or otherwise disposed of without first having been properly labeled, or that it be exported outside of the jurisdiction of the United States.

W. M. JARDINE, *Secretary of Agriculture.*

**15072. Adulteration and misbranding of phenolphthalein tablets, quinine and capsicum tablets, sulphonal tablets, trional tablets, barbital tablets, and atropine sulphate tablets.** U. S. v. George A. Breon and Helen L. Perry (George A. Breon & Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 19795. I. S. Nos. 3092-x, 3161-x, 3162-x, 3164-x, 3165-x, 3166-x.)

On September 23, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George A. Breon and Helen L. Perry, trading as George A. Breon & Co., Kansas City, Mo., alleging shipment by said defendants, in violation of the food and drugs act, from the State of Missouri into the State of Minnesota, on or about October 20, 1925, of quantities of phenolphthalein tablets, quinine and capsicum tablets, sulphonal tablets, trional tablets, and barbital tablets, and, on or about October 28, 1925, of a quantity of atropine sulphate tablets, which products were adulterated and misbranded. The articles were labeled variously: "Tablets Phenolphthalein \* \* \* 1 gr.," "Tablets Quinine and Capsicum Quinine Sulphate 2 gr. \* \* \*," "Tablets Sulphonal (Sulphon Methane) 5 gr.," "Tablets Trional (Sulphon Ethyl Methane) 5 gr.," "Tablets Barbital Barbitaluric Acid 5 gr.," "Hypodermic Tablets Atropine Sulphate 1-100 Grain," and were further labeled, "George A. Breon & Co. Kansas City, Missouri."

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1 grain of phenolphthalein, 2 grains of quinine sulphate, 5 grains of sulphonal, 5 grains of trional, 5 grains of barbital, or 1/100 grain of atropine sulphate, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

Misbranding was alleged for the reason that the statements, to wit, "Tablets Phenolphthalein \* \* \* 1 gr.," "Tablets \* \* \* Quinine Sulphate, 2 gr.,"

"Tablets Sulphonal \* \* \* 5 gr.," "Tablets Trional \* \* \* 5 gr.," "Tablets Barbital \* \* \* 5 gr.," and "Tablets Atropine Sulphate, 1-100 Grain," as the case might be, borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained the amount of the said product declared on the label thereof, whereas the tablets contained less than so declared.

On September 30, 1926, the defendants entered pleas of guilty to the information and the court imposed a fine of \$50 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15073. Misbranding of hog worm remedy. U. S. v. 18 Packages and 24 Packages of Hog Worm Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21921. I. S. Nos. 19354-x, 19355-x. S. No. C-5467.)**

On May 23, 1927, the United States attorney for the Northern District of Illinois, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 one-pound packages, and 24 five-pound packages of hog worm remedy, at Chicago, Ill., alleging that the article had been shipped by the Hinrichs Remedy Co., from Walcott, Ia., in part on or about February 4, 1927, and in part on or about March 8, 1927, and transported from the State of Iowa into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed the article consisted essentially of a mixture of magnesium sulphate, iron sulphate, and ground plant material. It did not contain sodium sulphate nor aloë.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of said article, borne on the label, (package label, both sizes) "Hog Worm Remedy \* \* \* To prevent Reinfestation," (large size) "To Assure Success," (green circular) "Hog Worm Remedy—It is a great deal more than a expeller. It is a cure and a preventative of worms, and will relieve worm infestation and prevent re-infestation \* \* \* Hog Worm Remedy \* \* \* Hog Worm Remedy acts \* \* \* thoroughly \* \* \* dissolves the worms \* \* \* elimination \* \* \* worms are distinguishable only in the form of a froth or foam in the droppings. \* \* \* Hog Worm Remedy cleans out the entire intestinal tract thoroughly \* \* \* Worms are gotten out thoroughly \* \* \* starts the animal gaining in weight at once \* \* \* there can absolutely be no failure in results if instructions are followed \* \* \* To prevent re-infestation \* \* \* Remedy \* \* \* Follow this practice and you will never have to worry about worm infested hogs again. Worms can not get a start when Dr. Hinrichs' Hog Worm Remedy is used," (large circular) "Do You Want to Kill Hog Worms the Easiest, Surest, Quickest Way? \* \* \* Here is the cheapest and best cure and preventative for worms in Hogs that your good money can buy. A Remedy that is fully guaranteed. A Remedy \* \* \* Here is a remedy \* \* \* and it is guaranteed to get every worm \* \* \* we guarantee to get results \* \* \* You will quickly see that this is a Common Sense Remedy \* \* \* sterling remedy \* \* \* Three feedings of this wonderful remedy every month will help keep your herd healthy and thriving. Your Sows that are about to Farrow need this remedy as this is the time when they should be given particular attention to insure healthy pigs \* \* \* You can raise more pigs and better hogs. \* \* \* reducing your losses to practically nothing. \* \* \* Hog Worm Cure and Preventative is a common sense remedy \* \* \* One package is guaranteed to prevent worm infestation in up to 100 head of hogs for a period of from two to six months, according to condition of the herd at time treatment is started \* \* \* To keep your hogs free of worms. Simply take a teaspoonful for each pig \* \* \* They should have a three-day treatment without delay. After a three-day interval another three-day treatment should be given. And at the end of another ten or twelve day interval give another three-day treatment. At the end of the third treatment we guarantee that every hog in the herd will be absolutely free of worms. \* \* \* While they expel worms and afford temporary relief \* \* \* Remedy is \* \* \* surest and quickest cure and preventative that you can use for worms in hogs," together with designs or devices appearing in the large circular showing worms in pigs or in various organs of the pigs, were false and fraudulent, in that the article contained no ingredients or



medicinal agents capable of producing the effects claimed on said labels and in said circular. Misbranding was alleged for the further reason that the statement on the labels, "Nutr. Sulphate Sicc. Aloes," was false and misleading in that the article contained no sodium sulphate or aloes.

On July 12, 1927, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15074. Misbranding of Kentos. U. S. v. 19 Cartons of Kentos. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21642. I. S. No. 15702-x. S. No. C-5329.)**

On February 18, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 cartons of Kentos, remaining in the original unbroken packages, at Chicago, Ill., alleging that the articles had been shipped by the Kentos Laboratories, Inc., from Los Angeles, Calif., February 5, 1927, and transported from the State of California into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the article consisted essentially of zinc sulphate, sodium chloride, and water, with traces of potassium chlorate and volatile oils. It did not contain compounds of copper, manganese, nor boron. Undiluted, it failed to kill a culture of *M. aureus* at 37° C. in 5 minutes.

It was alleged in substance in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article borne on the labels, (bottle label) "For Pyorrhea—Use full strength \* \* \* For General Use—As preventative, dilute, 1 part \* \* \* with 5 parts water and use while brushing teeth," (carton) "Pyorrhea \* \* \* For the Teeth and Gums \* \* \* For all unhealthy conditions of the Oral Cavity \* \* \* Pyorrhea \* \* \* For Pyorrhea—Use full strength. Swish liquid between teeth. Let it penetrate affected parts for two full minutes. For general Use—As an antiseptic and preventative, dilute 1 part Kentos with 5 parts water and use while brushing teeth. Dilute in like manner and use as gargle to relieve tonsillitis. Use full strength in canker and cold sores. \* \* \* Will positively check and relieve Pyorrhea Alveolaris (Riggs' Disease) immediately. Marvelously healing and beneficial to tender, bleeding, inflamed gums, cold sores, canker sores, bad breath and all disorders of the Oral Cavity. \* \* \* in the treatment of Oral Diseases. \* \* \* used successfully. \* \* \* in conjunction with the Kentos Technic for the most stubborn cases of Pyorrhea Alveolaris. \* \* \* A strong oxidizing agent, employed in solution as an antiseptic and deodorizing application to foul ulcers, canker and ozena. \* \* \* Used as a mouth wash and gargle, in Ulcerative Stomatitis and Follicular Pharyngitis. \* \* \* a local astringent in solution in the treatment of indolent ulcers and various skin diseases. \* \* \* Locally is styptic, astringent, and mildly escharotic; employed as a hemostatic. \* \* \* as a mouth wash in Aphthous Stomatitis." "Active Ingredients" "Potassii Permanganas" \* \* \* "Cupri Sulphas" \* \* \* "Sodii Boras," (circular) "exceptional bactericide and pyostatic. \* \* \* Teeth—gums—mucous membrane and throat \* \* \* a powerful bactericide \* \* \* has proved its specific value and efficacy in the treatment of oral sepsis in general and particularly pyorrhea alveolaris. \* \* \* probably more effective than any antiseptic on the market today. It kills germs without harming flesh tissue, if properly used. \* \* \* Areas which are acutely inflamed, or in which intensive soreness is present, would need a very weak dilution. \* \* \* the mouth contains germs at all times. In order to stay well, use Kentos to kill these deadly destroyers of life tissue. \* \* \* Bad Breath \* \* \* Bleeding Gums \* \* \* Boils, Carbuncles \* \* \* On Open Wound \* \* \* Catarrhal Conditions \* \* \* Chancre and Chancroids \* \* \* This aborts spread of the lesion and cessation of exudate and soon gives a clean, wholesome appearance to the wound. Cervicitis \* \* \* Colds \* \* \* Cuts, Wounds \* \* \* Diphtheritic Throat \* \* \* Domestic Animals \* \* \* to thoroughly cleanse any wound. This will keep wound clean and kill all germs. Eczema \* \* \* Focal Abscess \* \* \* Gum boils \* \* \* Leucorrhea \* \* \* Mouth Cankers \* \* \* Phagedenic Gingivitis (Trench Mouth) \* \* \* Pharyngitis \* \* \* Pus Pockets \* \* \* Pyorrhea Alveolaris \* \* \* Quinsy \* \* \* Stomatitis (Canker Sores) \* \* \* Syphilitic Lesions of the Mouth \* \* \*

Tonsillar Abscess \* \* \* Tonsillitis \* \* \* Tooth Brushes)—Use \* \* \* on tooth brush to keep it in sterile condition. Vincent's Angina," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was effective as a remedy for the several diseases, ailments, and afflictions mentioned therein. Misbranding was alleged for the further reason that the statements "Active Ingredients," "Potassii Permanganas," "Cupri Sulphas," "Sodii Boras," borne on the label of the carton, were false and misleading in that the said article contained no "Potassii Permanganas," "Cupri Sulphas" or "Sodii Boras."

On June 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15075. Misbranding of Vernas lotion. U. S. v. 5 Dozen, et al., Bottles of Vernas Lotion. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 21508, 21509. S. Nos. E-5920, E-5921.)

On January 3 and 4, 1927, respectively, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 12-11/12 dozen bottles of Vernas lotion, remaining unsold at Newark, N. J., alleging that the article had been shipped by the Vernas Chemical Co., Brooklyn, N. Y., in two consignments, on or about November 10 and November 30, 1926, respectively, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (bottle label) "A powerful \* \* \* Antiseptic \* \* \* Prophylactic for Surgical, Dental or Household Employment Especially Serviceable in Inflammatory Affections of the Mouth, Nose and Throat For Burns, Wounds, Abrasions \* \* \* Economical Because of its Potency. Directions. Oral Prophylaxis.—To maintain a healthy condition of the mouth and prevent decay of the teeth, use Vernas as a mouth wash daily. \* \* \* imparts tone to the gums and invigorates the mucous membranes \* \* \* Loose Teeth, Etc.—For pyorrhea alveolaris, or Riggs' disease, gingivitis, spongy or bleeding gums, canker sores, etc., use Vernas full strength \* \* \* Sore Throat, Etc.—For diphtheria, mumps, sore throat or tonsillitis, use, as a gargle or mouth wash, from three to six tablespoonfuls of Vernas to a tumblerful of warm water. Nasal Catarrh, Etc.—In nasal catarrh, hay-fever or fetid discharges from the nose, use, as a douche, one-half to one teaspoonful of Vernas to a tumblerful of warm water. \* \* \* Eruptions, Etc.—In eczema, hives, \* \* \* Wounds, Etc.—In abrasions, burns \* \* \* cuts \* \* \* or lacerations apply Vernas, full strength, after which keep the parts dressed in cotton or gauze saturated with one part Vernas to three parts water. Sores, Etc.—Old sores, ulcers or suppurating wounds should be bathed twice a day with Vernas, full strength, then dressed with equal parts of Vernas and Water. Vaginitis, Etc.—in leucorrhea, vaginitis or other discharges, add from two to six tablespoonfuls of Vernas to a pint of water. Vernas arrests chronic discharges, dispels fetor, invigorates the mucous surfaces and acts as a trustworthy prophylactic \* \* \* Because of its antiseptic power \* \* \* Vernas should be used to the exclusion of such agents as carbolic acid and corrosive sublimate;" (carton) "General Antiseptic \* \* \* Remedial properties \* \* \* Reliable General Antiseptic \* \* \* Beneficial as a Spray in Nasal Catarrh As a Gargle in Sore Throat or Tonsillitis As an Application in Wounds Eruptions or Indolent Sores As a Douche in All Discharges \* \* \* Powerful \* \* \* Antiseptic \* \* \* Prophylactic for Surgical Dental Household Employment \* \* \* Highly Recommended by the Dental Profession in Pyorrhea Alveolaris or Riggs' Disease and Spongy, Bleeding or Receding Gums It Tightens Loose Teeth \* \* \* Allays Inflammation Caused by Artificial Teeth and Insures a Healthy Condition of the Mouth;" (circular) " \* \* \* The Use of Antiseptics \* \* \* Necessity of Antiseptics \* \* \* Dissimilar Antiseptics \* \* \* The best antiseptic for general use is the one that inhibits the activity of germs, is entirely devoid of poisonous property and actually remedial in action when applied to infected, inflamed, irritated or injured tissues. The use of such an antiseptic affords one protection against germs without the slightest danger to life or detriment to the most delicate tissues of the body. \* \* \* Vernas is really a unique preparation,



since, in addition to possessing, in rare degree, all the desirable qualities of a general antiseptic, it has properties that are not shared by other substances of its class. It is a powerful antiseptic \* \* and prophylactic \* \* \* it is peculiarly remedial in action when applied to infected, inflamed, irritated or injured tissues \* \* \*. Its inhibitory action on disease-causing germs is much greater than that of many poisonous antiseptic substances; hence it is both the most reliable and safest preparation for general employment in the prevention or treatment of a variety of affections. \* \* \* Vernas may be used to inestimable advantage as a local application or dressing in all abrasions, burns, contusions, insect bites, lacerations or other external wounds. In the case of skin eruptions or chronic sores, its action is particularly beneficial. \* \* \* When used as a mouth-wash, Vernas is unquestionably the most efficacious agent for the prevention or relief of soft, bleeding or receding gums, loose teeth, \* \* \* or inflammatory affections of the oral tissues. \* \* \* Vernas affords singularly gratifying results when used as a gargle in sore throat or tonsillitis. It allays inflammation of the mucous membranes, arrests the development of germs and promotes the natural reparative processes. On account of its antiseptic power, it is especially serviceable in contagious affections of the throat, such as diphtheria or scarlet fever. \* \* \* The use of Vernas as a nasal spray in acute or chronic inflammatory affections of the nasal passages is invariably attended with highly satisfactory results. It is notably beneficial in catarrh, hay-fever and fetid discharges from these passages. \* \* \* in leucorrhoea, vaginitis and other inflammatory discharges from the vaginal canal \* \* \*, the preparation arrests the discharge \* \* \* and restores the mucous membrane to a normal condition. Where the vaginal lining is debilitated, and relaxed as a consequence of chronic inflammation, the daily use of Vernas is distinctly beneficial."

Analysis by this department showed that the article consisted essentially of zinc chloride (0.4 per cent), cassia oil, glycerin, alcohol, and water, colored green. Undiluted, it failed to kill a culture of *M. aureus* in 5 minutes at 40° C. It also failed to kill a culture of *B. typhosus* in 5 minutes at 17° C.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 26, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

**15076-15100**

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1927]

**15076. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21539. I. S. No. 13928-x. S. No. E-5216.)**

On January 24, 1927, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, at Pittsfield, Me., alleging that the article had been shipped by the Southern Cotton Oil Co., from Montgomery, Ala., on or about December 13, 1926, and transported from the State of Alabama into the State of Maine, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Helmet Brand \* \* \* Prime Cottonseed Meal Ashcraft-Wilkinson Co., Atlanta, Ga. Guaranteed Analysis Protein (minimum) 41%."

It was alleged in the libel that the article was misbranded, in that the statement "Protein (minimum) 41%," borne on the label, was false and misleading and deceived and misled the purchaser.

On March 2, 1927, the Ashcraft-Wilkinson Co., Atlanta, Ga., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15077. Adulteration of tangerines. U. S. v. 16 Crates of Tangerines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21847. I. S. No. 16591-x. S. No. E-6050.)**

On March 26, 1927, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 crates of tangerines, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Umatilla Fruit Co., from Paola, Fla., on or about March 19, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tangerines Red Warrior" (or "Dis Am Grown in Dixie") "Umatilla Fruit Co. Umatilla, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 6, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15078. Adulteration of grapefruit. U. S. v. 150 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21778. I. S. No. 12480-x. S. No. C-5411.)**

On March 14, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned on or about March 8, 1927, alleging that the article had been shipped by the Southern Fruit Distributors, Winter Haven, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Coot Brand Grown and Distributed by Southern Fruit Distributors, Inc. Orlando, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 16, 1927, M. Degaro Co., Cincinnati, Ohio, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15079. Adulteration of oranges. U. S. v. 1 Carload of Bulk Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21760. I. S. No. 12477-x. S. No. C-5408.)**

On March 8, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of bulk oranges, remaining in the original car at Cincinnati, Ohio, consigned by F. N. Hicks, Tampa, Fla., on or about March 3, 1927, alleging that the article had been shipped in interstate commerce from Tampa, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 18, 1927, I. N. Price & Co., Cincinnati, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15080. Adulteration of cocoa. U. S. v. 98 Barrels and 24 Barrels of Powdered Cocoa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21787, 21788. I. S. Nos. 17076-x, 17077-x. S. No. W-2127.)**

On March 30, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 122 barrels of powdered cocoa, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Pacific Cocoa Co., from Seattle, Wash., in two shipments, on or about December 10 and 30, 1926, respectively, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (barrel) "Pacific Cocoa Co. Seattle Crown Brand Pure Cocoa 185."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On April 25, 1927, Boehme & Co. having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation

and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$750, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15081. Adulteration of rum drops. U. S. v. 52 Boxes and 20 Boxes of Rum Drops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21345. I. S. Nos. 12298-x, 12299-x. S. No. C-5250.)

On or about October 27, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 52 one-pound boxes and 20 five-pound boxes of rum drops, remaining in the original unbroken packages at Detroit, Mich., consigned June 19, 1926, alleging that the article had been shipped by D'Orlando & Co., from Boston, Mass., and transported from the State of Massachusetts into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Marathon Chocolates Genuine Rum Drops \* \* \* D'Orlando Company Boston, Mass."

It was alleged in the libel that the article was adulterated, in violation of section 7 of said act, in the case of confectionery, in that it contained a spirituous liquor, alcohol, and, in the case of food, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On December 7, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15082. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 200 Sacks of Cottonseed Meal, et al. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21424. I. S. Nos. 4145-x, 4146-x, 4147-x. S. No. C-5277.)

On or about December 11, 1926, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 sacks of cottonseed meal and 200 sacks of cottonseed cake, remaining in the original unbroken packages at Atwood, Kans., alleging that the article had been shipped by the Planters Cottonseed Products Co., from Dallas, Texas, on or about November 17, 1926, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Protein, not less than 43%."

It was alleged in the libel that the article was misbranded, in that the statement "Guaranteed Analysis Protein, not less than 43%," borne on the label, was false and misleading and deceived and misled the purchaser to believe that the said article contained not less than 43 per cent of protein, whereas it contained a smaller quantity.

On January 8, 1927, the Planters Cottonseed Products Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or offered for sale in violation of the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15083. Adulteration of butter. U. S. v. 69 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21914. I. S. No. 19241-x. S. No. C-5442.)

On April 6, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture filed in the District Court of the United States for said district a libel praying seizure and condemnation of 69 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Cherokee Creamery Co., from Cherokee, Okla., March 28, 1927, and transported from the State of Oklahoma into the State of Illinois, and charging adulteration in violation of the food and drugs act.



It was alleged in the libel that the article was adulterated, in that a substance, to wit, excessive water, had been mixed and packed therewith so as reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom, and for the further reason that it contained less than 80 per cent of butterfat.

On April 8, 1927, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed under the supervision of this department to remove the excess water and to raise the percentage of butterfat to 80 per cent.

W. M. JARDINE, *Secretary of Agriculture.*

**15084. Adulteration and misbranding of butter. U. S. v. 57 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21869. I. S. No. 16352-x. S. No. E-6090.)**

On April 12, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 57 tubs of butter, remaining in the original unbroken packages at New York, N. Y., consigned by the Grafton Creamery Co., from Grafton, Iowa, alleging that the article had been shipped in interstate commerce from the State of Iowa into the State of New York, on April 4, 1927, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article and that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 19, 1927, the Grafton Creamery Co., Grafton, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,700, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat and the packages plainly and conspicuously marked to show the true quantity of the contents.

W. M. JARDINE, *Secretary of Agriculture.*

**15085. Adulteration of grapefruit and oranges. U. S. v. 210 Boxes of Grapefruit, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21721, 21722, 21757, 21758. I. S. Nos. 15285-x, 15286-x, 15287-x, 15289-x. S. Nos. C-5334, C-5335, C-5349, C-5350.)**

On or about February 24, 25, and 28, 1927, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 355 boxes of grapefruit and 86 boxes of oranges, remaining in the original unbroken packages at New Orleans, La., alleging that the articles had been shipped by S. E. Mays, of Plant City, Fla., from Tampa, Fla., in various consignments, in part February 15, 1927, and in part February 22, 1927, and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: "S. E. Mays, Grower and Shipper Plant City, Florida."

Examination of the articles by this department showed that they consisted in whole or in part of frost-damaged fruit.

Adulteration was alleged in the libels with respect to the oranges, and 115 boxes of the grapefruit, for the reason that they consisted in part of decomposed

vegetable substances. Adulteration was alleged with respect to the remainder of the grapefruit for the reason that a substance, an inedible product, had been substituted in part for the article.

On March 30, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15086. Adulteration and misbranding of Grape Zest. U. S. v. 4 Dozen Bottles and 25 Dozen Bottles of Grape Zest. Default decree entered. Product adjudged adulterated and misbranded and ordered destroyed. (F. & D. No. 21612. I. S. No. 10989-x. S. No. W-2087.)**

On or about January 29, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 dozen large bottles and 25 dozen small bottles of Grape Zest, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Fairbanks Products Co., Salt Lake City, Utah, in part July 20, 1926, and in part November 20, 1926, and transported from the State of Utah into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fairbanks Compound Grape-Zest for Beverage and Food Fairbanks Products Company Salt Lake City Utah."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, an imitation grape beverage powder, had been substituted wholly or in part for the said article, and in that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reasons that the statement "Compound Grape-Zest," borne on the label, was false and misleading and deceived and misled the purchaser and that it was an imitation of and offered for sale under the name of another article.

On March 10, 1927, no claimant having appeared for the property, a decree was entered, finding the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15087. Misbranding of butter. U. S. v. 40 Boxes and 44 Boxes of Creamery Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21801, 21802. I. S. Nos. 10914-x, 10915-x. S. Nos. W-2118, W-2119.)**

On or about March 17, 1927, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 84 boxes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Western Creamery Co., Salt Lake City, Utah, on or about March 11, 1927, and transported from the State of Utah into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (box) "From Western Creamery Company Salt Lake City Utah," (carton) "Sunset Gold Brand Creamery Butter Pasteurized Quarters 1 Lb. Net."

Misbranding of the article was alleged in the libels for the reason that the statement "1 Lb. Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, as the quantity stated was not correct.

On March 18, 1927, the Piggly Wiggly Western States Co., Los Angeles, Calif., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$1,600, conditioned in part that it be relabeled and reconditioned in a manner satisfactory to this department.

W. M. JARDINE, *Secretary of Agriculture.*



**15088. Adulteration of oranges. U. S. v. 90 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21779. I. S. No. 12481-x. S. No. C-5414.)**

On March 16, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 90 boxes of oranges, remaining in the original unbroken packages at Cincinnati, Ohio, consigned about March 11, 1927, alleging that the article had been shipped by the Volusia Growers, Inc., DeLand, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "University Brand A F G American Fruit Growers Inc., Orlando, Fla., Packed by Volusia Growers Inc. DeLand, Fla. Oranges."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 19, 1927, the American Fruit Growers, Inc., Orlando, Fla., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15089. Misbranding of meat and bone scrap. U. S. v. 193 Bags and 100 Bags of Meat and Bone Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21202. I. S. Nos. 7865-x, 7866-x. S. No. E-5819.)**

On August 3, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 293 sacks of meat and bone scrap, at Richmond, Va., alleging that the article had been shipped by the Berg Co., Inc., Philadelphia, Pa., on or about July 1, 1926, and transported from the State of Pennsylvania into the State of Virginia, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Berg's \* \* \* Poultry Meat & Bone Scrap Guaranteed Analysis Min. Protein 55.00%" (or "45.00%") "Manufactured by The Berg Co., Inc., Philadelphia, Pa."

It was alleged in the libel that the article was misbranded, in that the statements "Guaranteed Analysis Min. Protein 55.00%" or "45.00%," as the case might be, were false and misleading and deceived and misled the purchaser, since the article did not contain the amount of protein declared on the label, but did contain a smaller quantity.

On August 13, 1926, the Berg Co., Inc., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$500, conditioned in part that it be relabeled in accordance with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15090. Adulteration and misbranding of meat scraps. U. S. v. 113 Sacks and 130 Sacks of Notalco Meat Scraps. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21641. I. S. Nos. 13547-x, 13548-x. S. No. E-5980.)**

On or about February 18, 1927, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 243 sacks of meat scraps, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Norfolk Tallow Co., from Norfolk, Va., on or about January 10, 1927, and transported from the State of Virginia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "Manufactured by the Norfolk Tallow Co., Norfolk, Va., Notalco A A High Grade Meat Scraps \* \* \* Guaranteed Analysis: Protein Min. 45% \* \* \* Phos. Acid Max. 10%." The remainder of the said article was labeled in part: "Manufactured by the Nor-

folk Tallow Co. Norfolk, Va. Notalco Extra Quality Meat Scraps \* \* \* "Guaranteed Analysis Protein Min. 55% \* \* \* Phos. Acid. Max. 10%."

It was alleged in the libel that the article was adulterated, in that meat scraps deficient in protein had been substituted in part for the said article.

Misbranding was alleged for the reason that the labels bore statements, "Guaranteed Analysis Protein Min. 45%," or "Protein Min. 55%," as the case might be, which were false and misleading and deceived and misled the purchaser.

On March 16, 1927, the Norfolk Tallow Co., Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$1,000, conditioned in part that it be reworked and relabeled to contain the amount of protein in accordance with the guarantee.

W. M. JARDINE, *Secretary of Agriculture.*

**15091. Adulteration of tomato puree. U. S. v. 1,500 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20957. I. S. Nos. 6691-x, 6692-x, 6693-x. S. No. E-5213.)**

On March 25, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,500 cases of tomato puree, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Cates Canning Co., from Cates, Ind., in various consignments, on or about October 5, 19, and 24, 1925, respectively, and transported from the State of Indiana into the State of Florida, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15092. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21852. I. S. No. 3863-x. S. No. C-5445.)**

On March 24, 1927, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of oranges, remaining in the original unbroken packages at Beaumont, Tex., alleging that the article had been shipped by R. W. Burch, Plant City, Fla., on or about March 16, 1927, and transported from the State of Florida into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "R. W. Burch Plant City, Fla. Oranges Puritan Grapefruit."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 30, 1927, the Stedman Fruit Co., Beaumont, Tex., having appeared as claimant for the property and having admitted the material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be repacked and reassorted under the supervision of this department, and the adulterated or damaged oranges destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15093. Misbranding and alleged adulteration of preserves. U. S. v. 19 Cases of Strawberry Preserves, et al. Decree entered adjudging products misbranded and ordering their release under bond. (F. & D. No. 21053. I. S. Nos. 12252-x, 12253-x, 12254-x, 12255-x. S. No. C-5085.)**

On or about May 29, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure



and condemnation of 19 cases of strawberry preserves, 12 cases of raspberry preserves, 4 cases of blackberry preserves, and 7 cases of pineapple preserves, remaining in the original unbroken packages at Bay City, Mich., alleging that the articles had been shipped by McNeil & Co. from Carpentersville, Ill., May 5, 1925, and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: "Strawberry" (or other fruit) "Fox River Contents 10 Oz. MCN A McNeil Product McNeil and Company Carpentersville, Ill. Pure Preserves."

Adulteration of the articles was alleged in the libel for the reason that strawberry preserves, or other fruit preserves, as the case might be, with added tartaric acid, had been substituted for pure strawberry, or other fruit, preserves, which the labels represented the said articles to be.

Misbranding was alleged for the reason that the designation "Pure Preserves Strawberry," or other fruit, as the case might be, was false and misleading and deceived and misled the purchaser, when applied to strawberry, or other fruit, preserves, containing added tartaric acid.

On July 1, 1926, McNeil & Co., Carpentersville, Ill., having appeared as claimant for the property, a decree was entered finding the products misbranded, and it was ordered by the court that they be delivered to the said claimant upon the execution of a bond in the sum of \$500, conditioned in part that they not be sold or otherwise disposed of contrary to law, and it was further ordered that the claimant pay the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

**15094. Adulteration of chillies. U. S. v. 21 Sacks of Chillies. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21650. I. S. No. 11125-x. S. No. C-3049.)

On February 17, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 sacks of dried chillies, at Chicago, Ill., alleging that the article had been shipped by F. B. Kealiher, from Garden Grove, Calif., February 8, 1927, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Order F. B. Kealiher."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 6, 1927, the First National Bank, Garden Grove, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be labeled "For chicken feed only," and sold for such purpose.

W. M. JARDINE, *Secretary of Agriculture.*

**15095. Misbranding of meat scrap. U. S. v. 2 Tons, et al., of Meat Scrap. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 21067, 21068, 21069. I. S. Nos. 8327-x, 8328-x, 8329-x. S. Nos. E-5761, E-5762.)

On May 17, 1926, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 14 tons of meat scrap, remaining in the original unbroken packages, in part at Riverhead, N. Y., and in part at Calverton, N. Y., alleging that the article had been shipped by the Beef By-Product Co., from Elizabeth, N. J., in two consignments on February 23 and March 27, 1926, respectively, and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: "100 Lbs. Net Nutrein \* \* \* Protein Meat Scrap Guaranteed Analysis Protein 50% \* \* \* Phos. Acid 10% Manufactured by Beef By-Product Co., Elizabeth, N. J." The remainder of the said article was labeled in part: "Guaranteed Analysis Protein 50% Phos. Acid 10% Beef By-Product Co. \* \* \* New Jersey."

It was alleged in the libels that the article was misbranded, in that the labels bore the statements "Guaranteed Analysis Protein 50% \* \* \* Phos.

Acid 10%," or "Meat Scrap Guaranteed Analysis Protein 50% Phos. Acid 10%," as the case might be, which were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to a portion of the product for the further reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of contents.

On April 6, 1927, the Beef By-Product Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$250, conditioned in part that it be relabeled "100 Lbs. Net Nutrein Meat and Bone Scrap Guaranteed Analysis: Protein 47.9%, Fat 8%, Fibre 3%, Phos. Acid 11.7%."

W. M. JARDINE, *Secretary of Agriculture.*

**15096. Adulteration of grapefruit. U. S. v. 1 Carload of Bulk Grapefruit. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21782. I. S. No. 12484-x. S. No. C-5417.)**

On March 17, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of bulk grapefruit, remaining unsold in the original car, consigned by F. N. Hicks, Thonotosassa, Fla., about March 11, 1927, alleging that the article had been shipped in interstate commerce from Thonotosassa, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 24, 1927, the I. N. Price Co., Cincinnati, Ohio, having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15097. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 300 Sacks of Cottonseed Meal and 100 Sacks of Cottonseed Cake. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 21395. I. S. Nos. 12542-x, 12543-x. S. No. W-2044.)**

On November 30, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of cottonseed meal and 100 sacks of cottonseed cake, remaining in the original unbroken packages at Denver, Colo., consigned by the Chillicothe Cotton Oil Co., Chillicothe, Tex., alleging that the articles had been shipped from Chillicothe, Tex., on or about October 26, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "43% Protein Cracked Cottonseed Meal" (or "Cake") "Manufactured By Chillicothe Cotton Oil Company Chillicothe, Texas Guaranteed Analysis Crude Protein not less than 43.00 per cent."

It was alleged in the libel that the articles were misbranded, in that the statement "Guaranteed Analysis Crude Protein not less than 43.00 per cent," borne on the label, was false and misleading and deceived and misled the purchaser, since the said articles did not contain 43 per cent of protein.

On February 4, 1927, the Chillicothe Cotton Oil Co., Chillicothe, Tex., claimant, having admitted the allegations of the libel and consented to the entry of judgment of condemnation, and having executed a bond in the sum of \$500, conditioned that the products not be sold or otherwise disposed of contrary to the law, a decree was entered ordering that the said products be delivered to the claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*



**15098. Adulteration of grapefruit. U. S. v. 300 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21818. I. S. No. 12698-x. S. No. W-2128.)**

On March 24, 1927, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by M. N. Stout Co., Inc., Plant City, Fla., alleging that the article had been shipped from Plant City, Fla., on or about March 12, 1927, and transported from the State of Florida into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Yours Truly Brand M. N. Stout Company Inc. Sales Offices Plant City, Florida."

It was alleged in substance in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, to wit, of decomposed and frozen grapefruit.

On March 31, 1927, the Green Brothers Fruit & Produce Co., a Colorado corporation, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be examined under the supervision of this department, and all decomposed or frozen grapefruit be destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15099. Adulteration of eggs. U. S. v. 17 Cases and 14 Cases of Eggs. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21871, 21872. I. S. Nos. 14921-x, 14922-x. S. Nos. E-6093, E-6094.)**

On April 14, 1927, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 31 cases of eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Maple Dale Hatchery, Austin, Minn., in part March 31, 1927, and in part April 2, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled, "From Maple Dale Hatchery, Austin, Minn."

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of decomposed eggs.

On April 27, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15100. Adulteration of oranges. U. S. v. 360 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21811. I. S. No. 12486-x. S. No. C-5422.)**

On March 22, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of oranges, remaining in the original unbroken packages at Cincinnati, Ohio, consigned about March 16, 1927, alleging that the article had been shipped by the Umatilla Fruit Co., Umatilla, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Red Warrior Brand Packed and shipped by Umatilla Fruit Co., Umatilla, Fla. 'Russets' 'Brights'."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 24, 1927, M. Degaro & Co., Cincinnati, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged, under the supervision of this department, by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15101-15150

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1927]

**15101. Misbranding and alleged adulteration of vinegar. U. S. v. 10 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15403. I. S. No. 9097-t. S. No. E-3588.)**

On September 28, 1921, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 barrels of vinegar, at Asheville, N. C., alleging that the article had been shipped by the Douglas Packing Co., from Canastota, N. Y., August 5, 1921, and transported from the State of New York into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Douglas Packing Co. Excelsior Brand Apple Cider Vinegar Made From Selected Apples \* \* \* Rochester."

It was alleged in substance in the libel that the article was adulterated, in that vinegar made from dried apple products had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality, and had been substituted wholly or in part for apple cider vinegar.

Misbranding was alleged for the reason that the statement "Apple Cider Vinegar Made from Selected Apples" was false and misleading when applied to a product made from dried apple products. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On February 13, 1925, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the property, judgment was entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15102. Adulteration of oranges. U. S. v. 132 Boxes and 88 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21903, 21942. I. S. Nos. 14569-x, 16702-x. S. Nos. E-6074, E-6079.)**

On April 15 and 23, 1927, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 220 boxes of oranges, remaining in the original unbroken packages, in part at Boston, Mass., and in part at Springfield, Mass., consigned about March 30, 1927, alleging that the article had been shipped by the Standard Growers Exchange, Lucerne Park, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.



On April 28, 1927, the cases having been consolidated into one cause of action and Bondi Bros., Springfield, Mass., having appeared as claimant for the property and having admitted the allegations of the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it not be sold or otherwise disposed of contrary to law, and it was further ordered that the said product be salvaged under the supervision of this department, by separating the adulterated portion from the good portion and destroying the former.

W. M. JARDINE, *Secretary of Agriculture.*

**15103. Adulteration and misbranding of butter. U. S. v. 9 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21904. I. S. No. 3540-x. S. No. E-6021.)**

On April 20, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Marine Creamery Co., Marine, Minn., alleging that the article had been shipped from Marine, Minn., on or about April 9, 1927, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance containing less than 80 per cent of butterfat had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On May 20, 1927, James Lindberg, trading as the Marine Creamery Co., Marine, Minn., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15104. Adulteration of grapefruit. U. S. v. 370 Boxes of Grapefruit. Default decree of condemnation and destruction entered. (F. & D. No. 21917. I. S. No. 10722-x. S. No. W-2145.)**

On April 26, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 370 boxes of grapefruit, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Lake Ariana Packing Co., Auburndale, Fla., on or about April 11, 1927, and transported from the State of Florida into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Oranges, Grapefruit Tangerines Grown by The Vergon Son & Co., Inc. \* \* \* Winter Haven, Polk County, Florida." A portion of the product was further labeled: "Dela-Haven Brand."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 26, 1927, no claimant having appeared for the property, a decree was entered condemning the product adulterated, and ordering its destruction by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15105. Adulteration of grapefruit. U. S. v. 300 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21820. I. S. No. 16408-x. S. No. E-6083.)**

On March 26, 1927, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of grapefruit, remaining in the original unbroken packages

at Auburn, Me., consigned about March 14, 1927, alleging that the article had been shipped by the Lake Garfield Citrus Exchange, Lake Garfield, Fla., and transported from the State of Florida into the State of Maine, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 4, 1927, the Florida Citrus Exchange, a Florida corporation, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, or the deposit of \$500 cash in lieu thereof, conditioned in part that the product be reconditioned under the supervision of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15106. Misbranding of oysters. U. S. v. John M. Clayton and Carl L. Veach (J. M. Clayton & Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 21546. I. S. No. 5373-x.)**

On October 9, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John M. Clayton and Carl L. Veach, copartners, trading as J. M. Clayton & Co., Cambridge, Md., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about December 10, 1925, from the State of Maryland into the State of Massachusetts, of a quantity of oysters which were misbranded. The article was labeled in part: "Selects Minimum Volume 1 Gallon."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the can containing the said article, was false and misleading in that the said statement represented that each of said cans contained not less than 1 gallon of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained not less than 1 gallon of oysters, whereas each of said cans did contain less than 1 gallon of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 26, 1926, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15107. Adulteration of oranges. U. S. v. 310 Boxes and 270 Boxes of Oranges. Consent decree and default decree of destruction entered. (F. & D. Nos. 21799, 21800. I. S. Nos. 13310-x, 13311-x. S. Nos. E-6028, E-6029.)**

On March 14, 1927, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 580 boxes of oranges, remaining in the original unbroken packages at Baltimore, Md., consigned in two shipments, about March 6 and 7, 1927, respectively, alleging that the article had been shipped by the Fruit Distributors, Inc., from Bartow, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Florida Citrus Duke Polk County."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in substance in the libels that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, which had been substituted wholly or in part for oranges.

On April 2, 1927, the Monumental Fruit Co., Baltimore, Md., having appeared as claimant for 270 boxes of the product, and having theretofore executed a bond for its release to be salvaged, and the said claimant having represented that it was unable to salvage the product and having consented to its destruction, a decree was entered, ordering that the said 270 boxes of oranges be



destroyed by the United States marshal and the bond cancelled. On April 16, 1927, no claimant having appeared for the remainder of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15108. Adulteration of oranges. U. S. v. 424 Bushels of Oranges. Consent decree of forfeiture and destruction entered. (F. & D. No. 21727. I. S. No. 7516-x. S. No. E-5834.)**

On February 28, 1927, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 424 bushels of oranges, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by C. J. Peters, of San Antonio, Fla., from Lake Jovita, Fla., on February 24, 1927, and transported from the State of Florida into the State of Georgia, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 11, 1927, the claimant and owner of the property having admitted the allegations of the libel and having consented to its destruction, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15109. Adulteration of grapefruit. U. S. v. 370 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21837. I. S. No. 12917-x. S. No. W-2130.)**

On March 25, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 370 boxes of grapefruit, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Lake Garfield Citrus Growers Assn., Lake Garfield, Fla., March 8, 1927, and transported from the State of Florida into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sealdsweet Florida Citrus Exchange Lake Garfield Citrus Growers Assoc. Lake Garfield, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 29, 1927, the Florida Citrus Exchange, Seattle, Wash., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$750, the terms of said bond providing that the product be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15110. Adulteration of oranges. U. S. v. 44 Boxes and 26 Boxes of Oranges. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21748, 21753. I. S. Nos. 5913-x, 5914-x. S. Nos. E-5969, E-6006.)**

On or about March 5, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 70 boxes of oranges, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Lake Wales Citrus Grocers Assn., from Lake Wales, Fla., in part on or about February 28, 1927, and in part on or about March 1, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lake Wales Citrus Growers Association, Lake Wales, Polk County, Florida. Crown Jewel Brand."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 12, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15111. Adulteration of grapefruit. U. S. v. 350 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21851. I. S. No. 2658-x. S. No. C-5444.)**

On or about April 2, 1927, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 boxes of grapefruit, at Wichita, Kans., alleging that the article had been shipped by W. E. Lee, from Thonotosassa, Fla., on or about March 23, 1927, and transported from the State of Florida into the State of Kansas, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a decomposed vegetable substance.

On April 20, 1927, the Midwest Brokerage Co., Salina, Kans., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged to remove the adulterated matter.

W. M. JARDINE, *Secretary of Agriculture.*

**15112. Adulteration of coconuts. U. S. v. 125 Sacks of Coconuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21720. I. S. No. 12902-x. S. No. W-2110.)**

On March 12, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 125 sacks of coconuts, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by A. H. Biascoechea, from San Juan, P. R., December 15, 1926, and transported from the Territory of Porto Rico into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On or about May 14, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15113. Adulteration and misbranding of oysters. U. S. v. E. A. Smith & Co., Inc. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 21573. I. S. Nos. 7243-x, 7244-x, 7781-x, 7782-x, 7783-x.)**

On April 12, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. A. Smith & Co., Inc., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about November 22, 1926, from the State of Maryland into the States of North Dakota and Virginia, respectively, and on or about November 23, 1926, from the State of Maryland into the States of New York and Kentucky, respectively, of quantities of oysters, which were adulterated and misbranded. The article was labeled in part: "Minimum 1-Gallon Volume."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the said article purported to be.



Misbranding was alleged for the reason that the statement, "Minimum 1-Gallon Volume," borne on the cans containing the article, was false and misleading in that the said statement represented that the cans each contained 1 gallon of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans each contained 1 gallon of oysters, whereas each of said cans did not contain 1 gallon of oysters, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 20, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15114. Adulteration of butter. U. S. v. Boise Valley Cooperative Creamery Co., Ltd. Tried to the court. Judgment for the Government. Fine, \$75. (F. & D. No. 19638. I. S. Nos. 11673-v, 11675-v, 11695-v, 11698-v.)**

On July 30, 1926, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Boise Valley Cooperative Creamery Co., a corporation, Boise, Idaho, alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about June 25, and 30, and August 6, 1923, respectively, from the State of Idaho into the State of California, of quantities of butter which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance deficient in milk fat, in that it contained less than 80 per cent by weight of milk fat, had been substituted for butter, to wit, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On December 16, 1926, the case came on for hearing before the court. On December 23 the court handed down the following memorandum decision, finding the defendant company guilty and imposing a fine of \$25 on each of 3 counts, a total fine of \$75:

"In three counts the defendant is charged with violating the Pure Food Law, in that it shipped to Los Angeles, in interstate commerce, on three different occasions, butter, some of the packages of which contained an excess of moisture. Jury trial was waived, and the cause submitted to the court upon a very brief statement of facts, including the findings by Government agents. It is not controverted that some of the packages did contain a small excess percentage of water. The only defense suggested is that the defendant is a co-operative concern, and shipped the butter to another co-operative concern, made up of representatives of numerous local co-operative creameries in different parts of the country. The contention in substance is that the consignee was merely an agent of the consignor, thus bringing the case within the principle of *United States v. Sixty-five Cases Liquid Extracts*, 170 Fed. 449, 175 Fed. 1022; but I do not think the facts warrant the conclusion that the consignee was a mere agent. Both consignor and consignee are corporations, and when a shipment was made, such as is here involved, by the defendant to the Los Angeles concern, it was received and comingled with shipments from other concerns and sold upon the market in regular course. Payment for all shipments was made at the end of each week. There was no report of sales, and no accounting for any particular consignment. The butter was paid for at scheduled price, and defendant was never asked to return any of the money so paid and the consignee never accounted for any moneys received for butter in excess of the schedule price paid by it to the defendant. The mere fact that ultimately if any net profit was realized from the conduct of the business by the Los Angeles concern there was to be a ratable distribution of it to the customers of the concern, does not materially alter the case. I think the shipment of the butter by the defendant, its receipt by the Los Angeles concern, and payment therefor at schedule price, in effect constituted a sale. The shipment was not made by a principal to a mere agent, or by a mere agent to a principal, as was true in the case referred to. It will be necessary, therefore, to find the defendant guilty. As to the amount of punishment, the excess of moisture was very small, and there is no suggestion of any other violation of the law by the defendant, nor is there any evidence of bad faith

or wilful misconduct. I am therefore inclined to think that justice requires very little more than a nominal fine.

"Judgment will be that the defendant pay a fine of twenty-five dollars upon each count."

W. M. JARDINE, *Secretary of Agriculture.*

**15115. Adulteration of pecans. U. S. v. 23 Barrels of Pecans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21857. I. S. No. 12915-x. S. No. W-2125.)**

On April 25, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 barrels of pecans, remaining in the original unbroken packages at Seattle, Wash., consigned by the Southland Pecan Co., Mobile, Ala., about January 27, 1927, alleging that the article had been shipped in interstate commerce from Mobile, Ala., into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gold Medal Pecans Southland Pecan Co. Columbus, Ga. U. S. A. Growers and Shellers, Brown Pieces."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On or about May 16, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15116. Adulteration of canned peas. U. S. v. 600 Cases of Canned Peas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21056. I. S. No. 8129-x. S. No. E-5755.)**

On May 6, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 600 cases of canned peas, at Jersey City, N. J., alleging that the article had been shipped by the Knoxboro Canning Co., Oriskany Falls, N. Y., on or about January 29, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "White Mountain Brand Sweet Peas \* \* \* New Hartford Canning Co. New Hartford, Oneida Co., N. Y."

It was alleged in the libel that the article was adulterated, in that a substance, saccharin, had been substituted in part for the said article, and in that it contained an added poisonous or other added deleterious ingredient, saccharin, which might have rendered it injurious to health.

On December 2, 1926, the New Hartford Canning Co., Ltd., New Hartford, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it not be sold or otherwise disposed of contrary to the Federal food and drugs act, or contrary to the laws of any State, Territory, District, or insular possession of the United States, which prohibits the use of saccharin in like products for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

**15117. Adulteration of tomato paste. U. S. v. 18 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21542. I. S. No. 15099-x. S. No. C-5313.)**

On January 25, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cases of tomato paste, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by John S. Mitchell Inc., Windfall, Ind., on or about November 24, 1926, and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "(can) "Imperial Brand Pure Tomato Paste, \* \* \* Distributed By John S. Mitchell, Inc. Windfall, Ind."



It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 10, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15118. Adulteration and misbranding of cottonseed meal and cottonseed cake. U. S. v. 100 Sacks of Cottonseed Meal and 400 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21460. I. S. Nos. 15134-x, 15135-x. S. No. W-1892.)**

On December 14, 1926, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 sacks of cottonseed meal and 400 sacks of cottonseed cake, remaining unsold in the original packages at Tucumcari, N. Mex., alleging that the articles had been shipped by the Amarillo Cotton Oil Co., Amarillo, Tex., December 3, 1926, and transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: "43% Protein Cottonseed Cake" (or "Cotton-seed Meal") "Prime Quality, Manufactured by Amarillo Cotton Oil Company, of Amarillo, Texas."

It was alleged in substance in the libel that the said sacks were misbranded, and the contents thereof adulterated, in that the statements and labels on the sacks, regarding the chemical contents of the article of food contained therein, were false and misleading and were intended to and did deceive the purchaser, in that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed meal and cottonseed cake, which the articles purported to be.

On March 7, 1927, the Amarillo Cotton Oil Co., Amarillo, Tex., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15119. Misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21420. I. S. No. 4142-x. S. No. C-5275.)**

On or about December 11, 1926, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed cake, remaining in the original unbroken packages at Gretna, Kans., alleging that the article had been shipped by the International Vegetable Oil Co., from Dallas, Tex., on or about November 17, 1926, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Pounds Net Guaranteed Analysis Protein, not less than 43% \* \* \* Choctaw Quality Cottonseed Cake And Meal Choctaw Sales Company \* \* \* Kansas City, Missouri."

It was alleged in the libel that the article was misbranded, in that the statement "Guaranteed Analysis Protein, not less than 43%, borne on the label, was false and misleading and deceived and misled the purchaser, in that the said statement represented that the article contained not less than 43 per cent of protein, whereas it contained a smaller quantity.

On February 19, 1927, the Planters Cottonseed Products Co., Dallas, Tex., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned that it not be sold or offered for sale in violation of the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15120. Adulteration of tomato paste. U. S. v. 335 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21510. I. S. No. 12035-x. S. No. C-5289.)**

On December 30, 1926, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 335 cases of tomato paste, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Alexandria Packing Corporation, Alexandria, Ind., on or about October 9, 1926, and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Red Crown Brand Tomato Paste \* \* \* Packed By Alexandria Packing Corp., Alexandria, Ind."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 10, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15121. Adulteration of oranges. U. S. v. 60 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21898. I. S. No. 14570-x. S. No. E-6080.)**

On April 21, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 boxes of oranges, remaining in the original unbroken packages at Springfield, Mass., consigned about March 30, 1927, alleging that the article had been shipped by the Standard Growers Exchange, Lucerne Park, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 18, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15122. Adulteration of canned olives. U. S. v. 13 Cases of Canned Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21703. I. S. No. 16511-x. S. No. E-6005.)**

On March 8, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cases of canned olives, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Attie Conserved Goods Co., Ltd., from Piraeus, Greece, on or about October 6, 1926, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Conserved Goods 'Attie Company Ltd'—Factory Piraeus—Greece."

It was alleged in substance in the libel that the article was adulterated, in that an inedible product had been substituted wholly or in part for the said article, and in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 12, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15123. Adulteration of grapefruit. U. S. v. 384 Boxes of Grapefruit. Decree entered ordering product destroyed. (F. & D. No. 21766. I. S. No. 3516-x. S. No. C-5348.)**

On February 28, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District



Court of the United States for said district a libel praying seizure and condemnation of 384 boxes of grapefruit, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the West Coast Fruit Co., from Clearwater, Fla., February 15, 1927, and transported from the State of Florida into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (paster label on crate) "A-WOW Brand \* \* \* Home Office Jacksonville, Fla., Fruit Distributors, Inc.;" (wrapper) "West Coast Fruit Co., Clearwater, Fla. WCFCo. Reg. U. S. Off."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that a substance, an inedible product, had been substituted for, or in part for, the said article.

On March 15, 1927, upon the filing by the office of the United States attorney of an affidavit to the effect that the fruit was wholly unfit for consumption as food, judgment was entered by the court, ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15124. Adulteration of shell eggs. U. S. v. 17 Cases and 15 Cases of Eggs. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 21926, 21927. I. S. Nos. 14984-x, 14985-x. S. Nos. E-6123, E-6124.)

On April 29, 1927, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Maple Dale Hatchery, from Austin, Minn., in part April 11, 1927, and in part April 14, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Maple Dale Hatchery, Austin, Minn."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of decomposed eggs.

On May 16 and 18, 1927, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15125. Adulteration of oranges. U. S. v. 260 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21876. I. S. No. 14568-x. S. No. E-6078.)

On April 14, 1927, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 260 boxes of oranges, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Standard Growers' Exchange, Lucerne Park, Fla., in two consignments, on or about March 26 and 31, 1927, respectively, and transported from the State of Florida into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Oh Boy Brand, Oranges, Grapefruit, Standard Growers' Exchange, Garden of Eden Trade Mark."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 25, 1927, the Standard Growers' Exchange, Lucerne Park, Fla., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, conditioned in part that it be reconditioned to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15126. Adulteration of oranges. U. S. v. 360 Cases of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21925. I. S. No. 14910-x. S. No. E-6053.)**

On March 22, 1927, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 cases of oranges, at Binghamton, N. Y., alleging that the article had been shipped by Volusia Growers, Inc., Lake Helen, Fla., on or about March 10, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Manhattan Brand Blue Goose AFG Marketed by American Fruit Growers, Inc., Orlando, Fla., Packed by Volusia Growers, Inc. Deland, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole, or in part, of a decomposed vegetable substance.

On March 24, 1927, the American Fruit Growers, Inc., Orlando, Fla., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, conditioned in part that it be sorted and repacked and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15127. Adulteration of canned peas. U. S. v. 35 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21071. I. S. No. 6316-x. S. No. E-5763.)**

On May 13, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 cases of canned peas, remaining unsold at Trenton, N. J., alleging that the article had been shipped by the Knoxboro Canning Co., Oriskany Falls, N. Y., on or about January 20, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Mohawk Valley Brand June Peas \* \* \* New Hartford Canning Co. New Hartford, \* \* \* N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article, for the further reason that it had been mixed in a manner whereby damage or inferiority was concealed, and for the further reason that it contained an added poisonous or other added deleterious ingredient, saccharin, which might have rendered it injurious to health.

On June 25, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15128. Adulteration of tomato catsup. U. S. v. 300 Cases of Tomato Catsup. Consent decree ordering product released under bond for salvage of bottles. (F. & D. No. 21620. I. S. No. 2297-x. S. No. C-5316.)**

On February 7, 1927, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 cases of tomato catsup, at Youngstown, Ohio, alleging that the article had been shipped by the Alexandria Packing Corporation, Alexandria, Ind., on or about November 15, 1926, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (bottle) "Red Crown Brand Tomato Catsup \* \* \* Packed By Alexandria Packing Corp. Alexandria, Ind."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 21, 1927, the Alexandria Packing Corporation, Alexandria, Ind., claimant, having admitted the allegations of the libel and having consented to



the entry of a decree in conformance with the prayer thereof, judgment was entered, ordering that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be disposed of in violation of the law. It was further ordered by the court that the bottles be salvaged under the supervision of this department and the contents destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15129. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Order entered permitting salvage of product. Decree entered ordering adulterated portion destroyed, and remainder released. (F. & D. No. 21833. I. S. No. 15876-x. S. No. C-5441.)**

On or about April 1, 1927, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of grapefruit, at Tulsa, Okla., alleging that the article had been shipped by the Fruit Distributors, Inc., Lake Garfield, Fla., on or about March 16, 1927, and transported from the State of Florida into the State of Oklahoma, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of decayed vegetable substances.

On April 8, 1927, an order was entered by the court, permitting the salvaging of the product under the supervision of this department. On April 12, 1927, it having been shown to the court that the product had been properly salvaged and that 181 cases of fruit had been found fit for distribution, a decree was entered, ordering that the unfit portion be destroyed and the good fruit released to the parties in interest, the Hughes Brokerage Co., Tulsa, Okla., or the Fruit Distributors, Inc., Jacksonville, Fla.

W. M. JARDINE, *Secretary of Agriculture.*

**15130. Adulteration of oranges. U. S. v. 251 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21777. I. S. No. 13312-x. S. No. E-6030.)**

On March 15, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 251 boxes of oranges, remaining in the original unbroken packages at Baltimore, Md., consigned March 8, 1927, alleging that the article had been shipped by the Umatilla Fruit Co., from Paola, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (wrapper) "Floridas Packed By The Umatilla Fruit Company Umatilla, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed substance, which had been substituted wholly or in part for oranges.

On April 16, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15131. Adulteration of grapefruit. U. S. v. 310 Boxes of Grapefruit. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21822. I. S. No. 15660-x. S. No. C-5420.)**

On March 22, 1927, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 310 boxes of grapefruit, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Fruit Distributors, Inc., Highland City, Fla., March 7, 1927, and transported from the State of Florida into the State of Wisconsin, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "A-Wow Brand \* \* \* Fruit Distributors, Inc."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 13, 1927, the Fruit Distributors, Inc., Jacksonville, Fla., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15132. Adulteration of oranges. U. S. v. 1 Carload of Oranges. Consent decree of condemnation entered. Product delivered to charitable institutions.** (F. & D. No. 21839. I. S. No. 11577-x. S. No. C-5433.)

On March 22, 1927, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of oranges, at Louisville, Ky., alleging that the article had been shipped by the Fruit Distributors, Inc., Jacksonville, Fla., on or about March 10, 1927, and transported from the State of Florida into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in substance in the libel that the article was adulterated, in that it had been subjected to excessive drying.

On March 23, 1927, the claimant, the Fruit Distributors, Inc., having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to charitable institutions.

W. M. JARDINE, *Secretary of Agriculture.*

**15133. Adulteration of oranges. U. S. v. 60 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21694. I. S. No. 15282-x. S. No. C-5322.)

On or about February 4, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 boxes of oranges, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by S. E. Mays, Plant City, Fla., on or about January 25, 1927, and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "S. E. Mays Grower Shipper Plant City, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that a substance, an inedible product, had been substituted in part for the said article.

On February 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15134. Adulteration and misbranding of middlings. U. S. v. 19 Sacks and 20 Sacks of Middlings. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 21544, 21619. I. S. Nos. 13542-x, 13543-x. S. Nos. E-5941, E-5947.)

On January 26 and February 1, 1927, respectively, the United States attorney for the Eastern District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 39 sacks of middlings, remaining in the original unbroken packages in part at Wichard, N. C., and in part at Snow Hill, N. C., alleging that the article had been shipped by the Mayo Milling Co., from Richmond, Va., in various consignments, on or about November 16 and December 10 and 22, 1926, respectively, and transported from the State of Virginia into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the



article was labeled in part: "Middlings with ground re-cleaned Wheat Screenings not exceeding mill run." The remainder of the said article was labeled in part: "Mayo's Bull Middlings with ground re-cleaned wheat Screenings not exceeding mill run \* \* \* Mayo Milling Co., Inc. Distributors Richmond, Va."

It was alleged in the libels that the article was adulterated, in that a substance, rye product, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Middlings," borne on the label, was false and misleading and deceived and mislead the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On May 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15135. Adulteration of oranges. U. S. v. 360 Cases of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21624. I. S. No. 5905-x. S. No. E-5951.)**

On February 1, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 cases of oranges, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Alexander & Baird Co., from Wauchula, Fla., on or about January 18, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Alexander and Baird Co., Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On February 23, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15136. Adulteration of oranges and grapefruit. U. S. v. 1 Car of Oranges and Grapefruit. Decree of condemnation and forfeiture entered. Products released under bond. (F. & D. No. 21890. I. S. No. 11678-x. S. No. C-5432.)**

On March 11, 1927, the United States attorney for the Middle District of Tennessee, acting upon a report by an official of the State of Tennessee, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 car of oranges and grapefruit, at Nashville, Tenn., alleging that the articles had been shipped by F. N. Hicks, Tampa, Fla., on or about March 7, 1927, and transported from the State of Florida into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

Examination of the articles by this department showed that they consisted in whole or in part of frost-damaged fruit.

It was alleged in substance in the libel that the articles consisted in whole or in part of decomposed material, in violation of section 7, paragraph 6, of the act.

On March 26, 1927, E. L. Morris, Nashville, Tenn., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that they be salvaged under the supervision of this department, and the decomposed fruit destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15137. Adulteration and misbranding of butter. U. S. v. 9 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21875. I. S. No. 16597-x. S. No. E-6088.)**

On April 11, 1927, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Minnesota Creamery & Produce Co., from St. Paul, Minn., on or about March 28, 1927, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Order of Minn. Cry. & Prod. Co."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On April 20, 1927, the Minnesota Creamery & Produce Co., St. Paul, Minn., having appeared as claimant for the property and having consented to its condemnation and forfeiture, a decree was entered, finding the allegations of the libel to be true, and ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reworked under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15138. Adulteration of shell eggs. U. S. v. 17 Cases and 18 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21907. I. S. Nos. 14981-x, 14982-x. S. No. E-6100.)**

On April 22, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 cases of eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Maple Dale Hatchery, from Austin, Minn., April 7, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Maple Dale Hatchery, Austin, Minn."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of decomposed eggs.

On May 12, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15139. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 21895. I. S. No. 10743-x. S. No. W-2137.)**

On April 4, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of grapefruit, remaining in the original unbroken packages at Portland, Ore., alleging that the article had been shipped by L. Maxcy, Inc., from Wauchula, Fla., on or about March 19, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "L. Maxcy Supreme Brand \* \* \* Oranges-Grapefruit-Tangerines Frostproof, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted in whole or in part for normal grapefruit of good commercial quality, and in that it consisted in whole or in part of a decomposed vegetable substance.

On April 15, 1927, L. Maxcy, Inc., Wauchula, Fla., having entered an appearance and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15140. Adulteration of oranges. U. S. v. 42 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21795. I. S. No. 5984-x. S. No. E-6007.)**

On March 22, 1927, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 42 boxes of oranges, at Pittsburgh, Pa., alleging that the article had been shipped by the Umatilla Fruit Co., from Umatilla, Fla., on or about March 9, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Floridas, Umatilla Fruit Co., Umatilla, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 27, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15141. Misbranding of butter. U. S. v. 260 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21901. I. S. Nos. 15299-x, 15300-x, 15302-x, 15303-x. S. No. C-5463.)**

On April 8, 1927, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 260 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Sunlight Produce Co., Neosho, Mo., in various consignments, on or about March 1, 15, and 21, 1927, respectively, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sunlight Creamery Butter One Pound Net."

Examination of the article by this department showed that it was short weight.

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 21, 1927, the Sunlight Produce Co., Neosho, Mo., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be reworked and reconditioned, and not be sold or otherwise disposed of until inspected by a representative of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15142. Adulteration and misbranding of canned clams. U. S. v. 85 Cases and 85 Cases of Clams. Decree of condemnation entered. Product released under bond. (F. & D. No. 21405, 21406, 21407. I. S. Nos. 12654-x, 12655-x, 12656-x. S. No. W-2045.)**

On or about November 23, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 170 cases of canned clams, remaining in the original unbroken packages at Denver, Colo., consigned by the G. P. Halferty Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., on or about October 13, 1926, and transported from the State of Washington into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (can) "Pioneer Brand Minced Sea Clams \* \* \* Distributed by G. P. Halferty & Company, Seattle, U. S. A. \* \* \* Contents 7 Oz."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water or brine, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Contents 7 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser thereof, since the net contents of the clams in each of the said cans was less than 7 ounces. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 31, 1927, G. P. Halferty & Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings and executed a bond in the sum of \$500, conditioned in part that the product not be sold or otherwise disposed of contrary to law, judgment of condemnation was entered, and it was ordered by the court that the said product be released to the claimant to be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15143. Adulteration and misbranding of oysters. U. S. v. 87 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21790. I. S. No. 13002-x. S. No. W-2131.)**

On March 31, 1927, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 87 cases of oysters, remaining in the original unbroken packages at Denver, Colo., consigned by the C. B. Foster Packing Co., Biloxi, Miss., alleging that the article had been shipped from Biloxi, Miss., on or about February 16, 1927, and transported from the State of Mississippi into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Solitaire Oysters Fancy Quality \* \* \* Net Weight Of Oyster Meat 5 Ozs."

Adulteration of the article was alleged in the libel for the reason that excessive water or brine had been mixed and packed with and substituted in part for oysters.

Misbranding was alleged for the reason that the statement "Net Weight Of Oyster Meat 5 Ozs.," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 22, 1927, Lovell & Lee, Inc., Denver, Colo., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law, and it was further ordered that the product be examined and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15144. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21651. I. S. No. 15420-x. S. No. C-5326.)**

On February 17, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Bogalusa, La., alleging that the article had been shipped by the Betta Seed Mills, Inc., Jackson, Miss., on or about February 7, 1927, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Choice Cottonseed Meal Manufactured By The Buckeye Cotton Oil Company, Jackson, Mississippi. Guaranteed Analysis \* \* \* Crude Protein, not less than 41.12 per cent."

Misbranding of the article was alleged in the libel for the reason that the statement, regarding the said article, "Crude Protein, not less than 41.12 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On April 25, 1927, the Buckeye Cotton Oil Co., Jackson, Miss., having appeared as claimant for the property and having admitted the allegations of



the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$680, conditioned in part that it be relabeled to conform with Government analysis.

W. M. JARDINE, *Secretary of Agriculture.*

**15145. Adulteration of oranges. U. S. v. 372 Boxes of Oranges. Product ordered released under bond to be salvaged. (F. & D. No. 21834. I. S. No. 15297-x. S. No. C-5440.)**

On or about March 28, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of oranges, at New Orleans, La., alleging that the article had been shipped by W. E. Lee, from Thonotosassa, Fla., on or about March 15, 1927, and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Good Nature Brand Oranges."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged oranges.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a decomposed vegetable substance.

On April 1, 1927, the Florida Citrus Exchange, Tampa, Fla., having appeared as claimant for the property, a decree was entered, ordering that the said claimant be permitted to withdraw the oranges for the purpose of having the good portion separated from the bad, upon the execution of a bond in the sum of \$1,500, conditioned in part that the product not be put on the market until inspected and approved by this department, and it was further ordered by the court that all rejected fruit be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15146. Adulteration of frozen loganberries. U. S. v. 125 Barrels of Frozen Loganberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21887. I. S. No. 16522-x. S. No. E-6097.)**

On April 30, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 125 barrels of frozen loganberries, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Graves Canning Co., from Portland, Oreg., July 20, 1926, and transported from the State of Oregon into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Graves Canning Co Woodburn Ore Loganberries."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 19, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15147. Misbranding of butter. U. S. v. 5 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21924. I. S. No. 12827-x. S. No. W-2142.)**

On April 20, 1927, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of butter, at Yuma, Ariz., alleging that the article had been shipped by the Golden State Milk Products Co., El Centro, Calif., on or about April 18, 1927, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (case) "Thirty—One Pound Cartons, Golden State Brand Butter," (carton) "Net Weight 1 Pound."

Misbranding of the article was alleged in the libel for the reason that the statement "Net Weight 1 Pound," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct, the true net weight of the contents of each of said cartons being less than 1 pound.

On May 31, 1927, the Golden State Milk Products Co., El Centro, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$80, conditioned in part that it not be sold or disposed of in violation of the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15148. Misbranding and alleged adulteration of vinegar. U. S. v. 100 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15461. I. S. No. 813-t. S. No. C-3269.)**

On October 11, 1921, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 barrels of vinegar, remaining in the original unbroken packages at Coldwater, Mich., consigned by the Douglas Packing Co., Rochester, N. Y., alleging that the article had been shipped from Canastota, N. Y., September 20, 1921, and transported from the State of New York into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Apple Cider Vinegar made from selected apples \* \* \* Douglas Packing Company, Rochester, New York."

Adulteration of the article was alleged in the libel for the reason that vinegar made from evaporated or dried apple products had been mixed and packed with and substituted wholly or in part for apple cider vinegar made from selected apples, which the said article purported to be.

Misbranding was alleged for the reason that the article was labeled "Apple Cider Vinegar made from selected apples," so as to deceive and mislead the purchaser, for the further reason that the statement "Apple Cider Vinegar made from selected apples," was false and misleading in that the product contained barium, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On August 4, 1925, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$418.75, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15149. Adulteration and misbranding of butter. U. S. v. 21 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21943. I. S. No. 16459-x. S. No. E-6112.)**

On May 19, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Linden Cooperative Creamery Assn., Linden, Mich., and transported from the State of Michigan into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated, in that it was deficient in butterfat.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, in that some packages failed to bear a statement of net weight, and on others the statement made was incorrect.

On May 26, 1927, I. H. Ballou & Co., Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reworked under the supervision of this department, and relabeled to show the true quantity of the contents of the package.

W. M. JARDINE, *Secretary of Agriculture.*



**15150. Adulteration of shell eggs. U. S. v. 34 Cases of Eggs. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21891. I. S. No. 15298-x. S. No. C-5462.)**

On or about April 11, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 cases of eggs, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the London Grocery Co., Hattiesburg, Miss., on or about April 8, 1927, and transported from the State of Mississippi into the State of Louisiana, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that part of the said eggs were rotten and decomposed.

On April 13, 1927, the London Grocery Co., Hattiesburg, Miss., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$225, conditioned in part that the eggs be sorted, and the bad eggs separated therefrom and destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

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<sup>1</sup> Contains a decision of the court.





# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15151-15200

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1927]

**15151. Adulteration and misbranding of canned oysters. U. S. v. 13½ Cases of Oysters. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 20962. I. S. Nos. 7426-x, 6457-x. S. No. E-5692.)

On March 24, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13½ cases of canned oysters, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by John T. Leonard & Sons, from Charleston, S. C., on or about February 9, 1926, and transported from the State of South Carolina into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sea Maid Brand Oysters Contents 5 Oz. Packed by Seaside Cannery, Charleston, South Carolina."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Contents 5 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser, for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 17, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15152. Adulteration of canned cherries. U. S. v. 694 Cases of Canned Cherries. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21475. I. S. No. 7383-x. S. No. E-5913.)

On December 22, 1926, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel praying seizure and condemnation of 694 cases of canned cherries, at Washington, D. C., alleging that the article was being offered for sale and sold in the original unbroken packages at the city of Washington, in the District of Columbia, by M. E. Horton, Inc., and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pride of Egypt Brand Red Sour Pitted Cherries \* \* \* Guaranteed and Distributed by Egypt Canning Co., Inc., Fairport, N. Y."



It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 10, 1927, the Yates County Canning Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged and the portion unfit for human food destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15153. Adulteration and Misbranding of coffee. U. S. v. Irving Gordon. Plea of nolo contendere. Fine, \$50. (F. & D. No. 19793. I. S. No. 1322-x.)**

On April 5, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Irving Gordon, New York, N. Y., alleging shipment by said defendant, in violation of the food and drugs act, on or about September 11, 1925, from the State of New York into the State of Illinois, of a quantity of coffee which was adulterated and misbranded.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, legumes, had been substituted in part for coffee, which the said article purported to be, and for the further reason that a substance, to wit, legumes, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, to wit, coffee, which it purported solely to be.

On May 9, 1927, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

**15154. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21775. I. S. No. 10729-x. S. No. W-2107.)**

On March 4, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Fruit Distributors, Inc., from Blanton, Fla., on or about February 17, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blanton Packing Co. Packers of Blue Moon Brand Oranges & Grape Fruit Blanton, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted in whole or in part for normal grapefruit of good commercial quality.

On April 9, 1927, the Oregon-Washington Railroad & Navigation Co. having entered a claim against the property for unpaid freight and demurrage charges, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15155. Adulteration and misbranding of butter. U. S. v. Americus Ice Cream & Creamery Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 19763. I. S. Nos. 6562-x, 6607-x.)**

On August 13, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Americus Ice Cream & Creamery Co., a corporation, Americus, Ga., alleging shipment by said company, in violation of the food and drugs act as amended, in two consignments, on or about October 19 and November 6, 1925, respectively,

from the State of Georgia into the State of Florida, of quantities of butter which was adulterated and misbranded. The article was labeled in part: "Sumter-Maid Creamery Butter \* \* \* Made by Americus Ice Cream & Creamery Co., Americus, Georgia One Pound Net Weight."

Adulteration of the article was alleged in the information for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the packages containing the article, was false and misleading in that the said statement represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it did not contain 80 per cent by weight of milk fat, but did contain a less amount. Misbranding was alleged with respect to the portion of the product consigned November 6, 1925, for the further reason that the statement, to wit, "One Pound Net Weight," borne on the label, was false and misleading in that the said statement represented that the packages each contained 1 pound of butter, whereas they did not, but did contain a less amount, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 1, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

**15156. Adulteration of ice cream cones. U. S. v. 34 Cases of Ice Cream Cones. Default decree of condemnation and forfeiture entered. Product ordered sold for hog feed. (F. & D. No. 21057. I. S. No. 806-x. S. No. W-1667.)**

On May 15, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 cases of ice cream cones, remaining in the original unbroken packages at Denver, Colo., consigned by the Harlow Cone Co., Inc., Fort Worth, Tex., alleging that the article had been shipped from Fort Worth, Tex., on or about September 26, 1925, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (carton) "Kiddle Cake Cups Complies with Pure Food and Drug Laws Sweetened and flavored to taste, 5 cents, Harlow Cone Co. Inc., Ft. Worth, Texas."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, general paragraph and paragraph 2, under food, in that a substance composed of saccharin had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and paragraph 5, under food, in that it contained an added poisonous or other added deleterious ingredient, saccharin, so as to render it injurious to health.

On May 14, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be ground and sold by the United States marshal for hog feed, if a purchaser could be found.

W. M. JARDINE, *Secretary of Agriculture.*

**15157. Misbranding of cottonseed meal. U. S. v. 480 Sacks of Cottonseed Meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 21487. I. S. No. 10219-x. S. No. C-5302.)**

On December 27, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 480 sacks of cottonseed meal, remaining unsold in the original packages at Piqua, Ohio, consigned by Humphreys-Godwin Co., Memphis, Tenn., September 22, 1926, alleging that the article had been shipped from Forest City, Ark., and transported from the State of Arkansas into the State of Ohio, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Bull Brand Cottonseed Meal Analysis Protein 43 Per Cent Made from Pressed Cottonseed for Humphreys-Godwin Co., Memphis, Tenn."

It was alleged in the libel that the article was misbranded, in that the statement "Protein 43 Per Cent" was false and misleading and deceived and misled the purchaser.



On March 27, 1927, the Humphreys-Godwin Co., Memphis, Tenn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree of condemnation, judgment was entered ordering that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged or relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15158. Adulteration of scallops. U. S. v. 13 1-Gallon Cans of Scallops. Default decree of condemnation and forfeiture. Product delivered to charitable institution.** (F. & D. No. 21683. I. S. No. 16023-x. S. No. E-5971.)

On February 8, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 1-gallon cans of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by E. J. Steelman, from Townsend, Va., on or about February 3, 1927, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid animal substance.

The charge recommended by this department was that a substance, water, had been mixed and packed with and substituted in part for scallops, which recommendation was based on a finding that the scallops had been adulterated by the addition of water.

On February 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion found by this department to be fit for human consumption be delivered to a charitable institution, and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15159. Adulteration of scallops. U. S. v. 27 1-Gallon Tins and 9 1-Gallon Cans of Scallops. Default decrees of condemnation and forfeiture. Product delivered to charitable institution.** (F. & D. Nos. 21682, 21684. I. S. Nos. 16021-x, 16024-x. S. Nos. E-5959, E-5972.)

On February 7 and February 8, 1927, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 36 gallons of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by S. F. Smith & Co., in part from Oyster, Va., and in part from Cheriton, Va., on or about February 3, 1927, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration was alleged in the libel with respect to 27 gallons of the article for the reason that a substance, water, had been mixed and packed with and substituted in part for scallops. Adulteration was alleged in the libel with respect to the remaining 9 gallons of the product for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

The charge recommended by this department was that a substance, water, had been mixed and packed with and substituted in part for scallops in both of the above lots, which recommendations were based on findings that the scallops had been adulterated by the addition of water.

On February 24, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the portions of the product found by this department to be fit for human consumption be delivered to a charitable institution, and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15160. Adulteration of canned salmon. U. S. v. 2,499 Cases, et al., of Salmon. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21867. I. S. Nos. 58-x, 59-x, 61-x, 10847-x. S. No. W-2141.)

On April 23, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 6,846 cases of canned salmon, remaining in the original unbroken packages in part at San Francisco, Calif., and in part at Alameda, Calif., consigned by the Naknek Packing Co., Bristol Bay, Alaska, alleging that the article had been shipped in interstate commerce from Bristol Bay, Alaska, into the State of California, arriving at San Francisco, Calif., on or about August 20, 1926, and charging adulteration in violation of the food and drugs act. Certain portions of the article were labeled in part: "Jack Frost Brand," "Deep Sea Brand," or "Fram Brand," as the case might be. A portion of the article was unlabeled.

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On May 12, 1927, the Naknek Packing Co., Bristol Bay, Alaska, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$34,200, conditioned in part that it be made to conform with the law under the direction of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15161. Adulteration of oranges. U. S. v. 76 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21944. I. S. No. 14571-x. S. No. E-6121.)**

On April 23, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 76 boxes of oranges, remaining in the original unbroken packages at Springfield, Mass., consigned about April 2, 1927, alleging that the article had been shipped by the Sunny South Packing Co., Arcadia, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 18, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15162. Adulteration of canned oysters. U. S. v. 75 Cases and 25 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21736, 21737. I. S. Nos. 10853-x, 10854-x. S. Nos. W-2111, W-2112.)**

On March 15, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of canned oysters, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Bayou LaBatre Cannery, from Biloxi, Miss., January 27, 1927, and transported from the State of Mississippi into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance, excessive brine and water, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

On April 5, 1927, the Bayou LaBatre Cannery of Alabama having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it be made to conform with the law under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*



**15163. Adulteration and alleged misbranding of coffee. U. S. v. 4 Drums of Coffee. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21629. I. S. No. 11747-x. S. No. C-5318.)**

On February 11, 1927, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 drums of coffee, remaining in the original unbroken packages at Tenaha, Tex., alleging that the article had been shipped by the Diamond Coffee Mills, Shreveport, La., on or about December 28, 1926, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part "Packed by Diamond Coffee Mills, Shreveport, La. Coffee and Chicory."

Adulteration of the article was alleged in the libel for the reason that cereals had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation, "Coffee and Chicory," was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, coffee and chicory.

On April 5, 1927, no claimant having appeared for the property, a decree was entered, adjudging the product adulterated, and ordering its condemnation, forfeiture, and destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15164. Adulteration and misbranding of fruit sirup. U. S. v. Lash's Products Co. Plea of nolo contendere. Fine, \$50. (F. & D. No. 21584. I. S. No. 13631-x.)**

On April 7, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lash's Products Co., a corporation, trading at New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, on July 15, 1926, from the State of New York into the State of New Jersey, of a quantity of fruit sirup, which was adulterated and misbranded. The article was labeled in part: (jug) "Lash's \* \* \* Sangaree Syrup Certified Food Color Red Cherry (True Fruit). Flavor Fruit Acid Added \* \* \* Lash's Products Company New York—Chicago—San Francisco."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an imitation cherry-flavored sirup, artificially colored, had been substituted for red cherry sirup, true fruit flavor, which the said article purported to be. Adulteration was alleged for the further reason that the product was an article inferior to red cherry sirup, true fruit flavor, to wit, a product composed in large part of an imitation cherry-flavored sirup, and was artificially colored with a certain coal-tar dye, to wit, Amaranth S & J 107, so as to simulate the appearance of red cherry sirup, and in a manner whereby its inferiority to red cherry sirup was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Syrup \* \* \* Red Cherry (True Fruit) Flavor," borne on the label of the said jug, was false and misleading in that the said statement represented that the article was red cherry sirup, true fruit flavor, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was red cherry sirup, true fruit flavor, whereas it was not, but was a mixture composed in large part of an imitation cherry-flavored sirup, artificially colored. Misbranding was alleged for the further reason that the article was a product deficient in fruit juice, artificially flavored and colored, and was prepared in imitation of red cherry sirup, true fruit flavor, and was sold under the distinctive name of another article, to wit, red cherry sirup, true fruit flavor.

On April 25, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

**15165. Misbranding of assorted chocolates. U. S. v. 25½ Dozen and 44½ Dozen Boxes of Assorted Chocolates. Default decrees of condemnation, forfeiture, and sale. (F. & D. No. 21408. I. S. Nos. 12546-x, 12555-x. S. No. W-2049.)**

On November 25 and December 11, 1926, respectively, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 69½ dozen boxes of assorted chocolates, remaining in the original unbroken packages at Denver, Colo., consigned by the Potter Confectionery Co., Cambridge, Mass., alleging that the article had been shipped in interstate commerce from Cambridge, Mass., into the State of Colorado, on or about October 14, 1926, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (carton) "Six ½ lb. Alton Packages of Assorted Chocolates. Mfd. by Potter Confectionery Co. Cambridge Mass.," (box) "The Alton Package of Chocolates. Half Pound Net Weight. Man'd By Chanteclair Chocolate Co. Cambridge, Mass."

Misbranding of the article was alleged in the libels for the reason that the statement, "Half pound net weight," borne on the label, was false and misleading and deceived and misled the purchaser, since the net contents of each of the boxes was less than ½ pound. Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the quantity stated was not correct.

On May 15, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15166. Adulteration of oranges. U. S. v. 360 Boxes of Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21706. I. S. No. 7816-x. S. No. E-6026.)**

On March 4, 1927, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel praying seizure and condemnation of 360 boxes of oranges, at Washington, D. C., alleging that the article had been shipped from Blanton, Fla., February 23, 1927, and transported from the State of Florida into the District of Columbia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (case) "J. E. Montgomery, Inc., Tampa, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 1, 1927, J. E. Montgomery, Inc., Tampa, Fla., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15167. Adulteration of tomato puree. U. S. v. 45 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21913. I. S. No. 13867-x. S. No. E-6132.)**

On May 11, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 45 cases of tomato puree, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Tennent Products Co., from Freehold, N. J., on or about January 5, 1927, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tennent Brand Tomato Puree \* \* \* 6 Lbs. 8 Ozs. Net Weight Manufactured by Tennent Products Co., Inc. Freehold, N. J."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.



On May 26, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15168. Adulteration and misbranding of butter. U. S. v. 30 Tubs, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21940. I. S. Nos. 14987-x, 14988-x. S. No. E-6134.)**

On May 11, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 57 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Collier Bros., from Taylorville, Ill., in part April 27, 1927, and in part April 30, 1927, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted in whole or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been in whole or in part abstracted.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 17, 1927, Collier Bros., Taylorville, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,700, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

**15169. Adulteration and misbranding of maple sirup. U. S. v. 35 Gallons of Maple Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21889. I. S. No. 16454-x. S. No. E-6098.)**

On April 30, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 gallons of maple sirup, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by L. M. Rollins & Co., from Bradford, N. H., March 30, 1927, and transported from the State of New Hampshire into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part "Pure Maple Syrup Made by L. M. Rollins & Co. Bradford, N. H."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in maple solids had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Maple Syrup," borne on the label, was false and misleading and deceived and misled the purchaser, for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that it was offered for sale under the distinctive name of another article.

On June 7, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15170. Adulteration of tomato paste. U. S. v. 700 Tins and 10 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 21489 to 21497, incl. I. S. Nos. 12031-x, 12036-x, 12038-x, 12039-x, 12040-x. S. Nos. C-5281, C-5291.)**

On December 23, 1926, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure

and condemnation of 700 tins and 10 cases of tomato paste, and subsequently, an amended libel alleging the quantity of the product to be 436 cases of tomato paste. It was alleged in the libel, as amended, that the article had been shipped by John S. Mitchell, Inc., Windfall, Ind., in part on or about October 11, 1926, and in part on or about October 25, 1926, and had been transported from the State of Indiana into the State of Louisiana, and that it was adulterated in violation of the food and drugs act. The article was labeled in part: (can) "Regal Brand Pure Tomato Paste" (or "Empress Brand Tomato Paste" or "Imperial Brand Pure Tomato Paste," or "Liberty Bell Concentrated Tomato Paste,") "Distributed By John S. Mitchell, Inc., Windfall, Indiana."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 10, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15171. Adulteration of canned string beans. U. S. v. 80 Cases of Canned String Beans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21394. I. S. No. 14861-x. S. No. E-5911.)

On or about November 26, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 80 cases of canned string beans, remaining unsold at Newark, N. J., alleging that the article had been shipped by the Webster Canning & Preserving Co., Webster, N. Y., on or about June 11, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15172. Adulteration and misbranding of malted milk. U. S. v. 15 Cases and 10 Cases of Malted Milk. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21271. I. S. Nos. 13462-x, 13462-z. S. No. E-5798.)

On August 30, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of malted milk, at West New York, N. J., alleging that the article had been shipped by the Delmoy Sales Corporation, New York, N. Y., on or about August 4, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Melodew A Sweetened Chocolate Flavor Malted Milk And Dry Malt Delmoy Sales Corp., Inc. A Chocolate Malted Milk In A Minute \* \* \* Melodew, a sweetened chocolate flavor Malted Milk, is composed of the finest Malted Milk scientifically combined with pure Cocoa, Barley Malt and Cane Sugar."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in malted milk and butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly for the said article.

Misbranding was alleged for the reason that the statements, "A Sweetened Chocolate Flavor Malted Milk And Dry Malt \* \* \* A Chocolate Malted Milk In A Minute \* \* \* Melodew, a sweetened chocolate flavor Malted Milk, is composed of the finest Malted Milk scientifically combined with pure Cocoa, Barley Malt and Cane Sugar," borne on the label, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15173. Adulteration of grapefruit. U. S. v. 360 Boxes of Adulterated Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21859. I. S. No. 10742-x. S. No. W-2136.)**

On April 1, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Chester C. Fosgate Co., from Forest City, Fla., on or about March 16, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fidelity Brand Chester C. Fosgate Co. Orlando, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, and in that an inedible product had been substituted in whole or in part for normal grapefruit of good commercial quality.

On April 2, 1927, the Chester C. Fosgate Co., Orlando, Fla., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15174. Adulteration and misbranding of feed. U. S. v. Alfocorn Milling Co. Tried to the court. Defendant adjudged guilty. Fine, \$300 and costs. (F. & D. No. 19765. I. S. No. 16628-v.)**

On May 14, 1926, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Alfocorn Milling Co., a corporation, trading at East St. Louis, Ill., alleging shipment by said company in violation of the food and drugs act, in two consignments, on or about March 21 and April 3, 1925, respectively, from the State of Illinois into the State of North Carolina, of quantities of horse and mule feed, which was adulterated and misbranded. The article was labeled in part: (tag) "High Kick Horse & Mule Feed Manufactured By Alfocorn Milling Company East St. Louis, Ill. Guaranteed Average Analysis Protein 10.00% Fat 2.00% Carbohydrates 55.00% Fibre 15.00% Contains Shelled Corn (Cracked) Alfalfa Meal, Oat Meal, Mill By-Product, [Oat Middlings, Oat Shorts and Oat Hulls] Rice Bran, Molasses and ½ of 1% Salt."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a feed containing flax plant waste, and deficient in protein and fat, and containing no rice bran, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for the article.

Misbranding was alleged for the reason that the statements "Guaranteed Average Analysis Protein 10.00% Fat 2.00% Carbohydrates 55.00% Fibre 15.00% Contains Shelled Corn (Cracked,) Alfalfa Meal, Oat Meal, Mill By-Product, [Oat Middlings, Oat Shorts and Oat Hulls] Rice Bran, Molasses and ½ of 1% Salt," borne on the label, were false and misleading in that the said statements represented that the article contained 10 per cent of protein and 2 per cent of fat, and consisted of the ingredients named on the tag, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 10 per cent of protein and 2 per cent of fat, and consisted of the ingredients named on the tag, whereas it contained less than 10 per cent of protein and less than 2 per cent of fat, and did not contain any rice bran, and did contain flax plant waste which was not declared upon the tag.

On March 22, 1927, the case came on for trial before the court. Judgment of guilty was entered by the court, and a fine of \$300 and costs was imposed.

W. M. JARDINE, *Secretary of Agriculture.*

**15175. Misbranding of butter. U. S. v. 3 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21959. I. S. No. 7678-x. S. No. E-6113.)**

On May 26, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 cases of butter, remaining in the original unbroken packages at Boston, Mass., consigned about May 16, 1927, alleging that the article had been shipped by the Corinth Cooperative Creamery, Inc., Bradford, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded, in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On June 7, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15176. Adulteration of oranges. U. S. v. 13 Cases of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21819. I. S. No. 16431-x. S. No. E-6082.)**

On March 24, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cases of oranges, remaining in the original unbroken packages at Boston, Mass., consigned about March 19, 1927, alleging that the article had been shipped by the Fruitland Peninsular Packing Assn., Georgetown, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15177. Adulteration of oranges. U. S. v. 57 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21804. I. S. No. 16452-x. S. No. E-6081.)**

On March 22, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 57 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned about March 14, 1927, alleging that the article had been shipped by the Wells Fruit Co., Wells Spur, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15178. Adulteration of grapefruit and oranges. U. S. v. 372 Boxes of Grapefruit and 1 Carload of Bulk Oranges. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21813, 21816. I. S. Nos. 12485-x, 12490-x. S. Nos. C-5425, C-5430.)**

On March 18 and March 23, 1927, respectively, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels



praying seizure and condemnation of 372 boxes of grapefruit, and 1 carload of bulk oranges, at Cincinnati, Ohio, consigned by the Fruit Distributors, Inc., the former about March 12, 1927, from Lake Garfield, Fla., and the latter about March 7, 1927, from Lakeland, Fla., alleging that the articles had been transported in interstate commerce from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The grapefruit was labeled in part: (box) "A-Wow Brand \* \* \* Home Office, Jacksonville, Fla. Fruit Distributors, Inc."

Examination of the articles by this department showed that they consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the articles were adulterated, in that they consisted of decomposed vegetable substances.

On April 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15179. Adulteration of grapefruit. U. S. v. 1 Carload of Bulk Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21815. I. S. No. 12489-x. S. No. C-5429.)**

On March 23, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of bulk grapefruit, at Cincinnati, Ohio, consigned by the Lakeland Co., Lakeland, Fla., about March 3, 1927, alleging that the article had been shipped in interstate commerce from Lakeland, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 5, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15180. Adulteration and misbranding of butter. U. S. v. 150 Pounds of Butter. Consent decree of destruction entered. (F. & D. No. 21288. I. S. No. 3348-x. S. No. C-5233.)**

On August 24, 1926, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 pounds of butter, remaining in the original unbroken packages at Superior, Wis., alleging that the article had been shipped by Wilson & Co., from Duluth, Minn., on or about August 13, 1926, and transported from the State of Minnesota into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (carton) "Lake View Creamery Butter \* \* \* Lake View Butter Sweet—Pure—Delicious W Wilson & Co."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Creamery Butter" and "Lake View Butter, Sweet—Pure," borne on the label, were false and misleading and deceived and misled purchasers, and that the article was offered for sale under the distinctive name of butter.

On November 15, 1926, by consent of the parties in interest, a decree was entered, adjudging the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15181. Adulteration of canned sardines. U. S. v. 898 Cases of Sardines. Decree entered, adjudging product adulterated, and ordering good portion released. (F. & D. No. 19842. I. S. No. 9485-v. S. No. C-4666.)**

On February 27, 1925, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on March 9,

1925, an amended libel, praying seizure and condemnation of 898 cases of sardines, remaining in the original unbroken packages at Selma, Ala., alleging that the article had been shipped by the Holmes Co., from Robbinston, Me., September 22, 1924, and transported from the State of Maine into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Holmes St. Croix Brand \* \* \* Packed At Robbinston, Maine, Guaranteed By Holmes Company."

It was alleged in the libel, as amended, that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On February 5, 1927, the product having theretofore been examined, and the good portion separated from the bad and delivered to the claimant, R. H. & W. C. Agee Grocery Co., Selma, Ala., and the bad portion having been destroyed, a decree was entered, adjudging the product adulterated, and ordering that the good portion be released to the said claimant.

W. M. JARDINE, *Secretary of Agriculture.*

**15182. Adulteration and misbranding of chocolate almonds. U. S. v. 18 Boxes of Chocolate Almonds. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17545. I. S. No. 437-v. S. No. E-4404.)**

On May 29, 1923, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 boxes of chocolate almonds, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the American Chocolate Almond Co., from Jersey City, N. J., on or about April 25, 1923, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, excessive shells, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the statements "AAA Chocolate Almonds \* \* \* The American Chocolate Almond Co.," borne on the retail package containing the article, and "The Best Chocolate Almonds Made By The Most Sanitary Method," appearing upon an advertising card within the retail package, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On March 28, 1927, the time of the claimants to file an answer having expired, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the claimants pay all costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15183. Adulteration of black pepper. U. S. v. Biston Coffee Co. Plea of guilty. Fine, \$400. (F. & D. No. 21592. I. S. Nos. 3313-x, 3366-x, 8507-x, 12234-x, 12235-x.)**

On May 14, 1927, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Biston Coffee Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about October 27, 1925, March 16, May 13, and July 16, 1926, from the State of Missouri into the States of Indiana, Wisconsin, Kentucky, and Minnesota, respectively, of quantities of black pepper which was adulterated. The article was labeled in part "Black Pepper." A portion of the said article was further labeled "Biston Coffee Co. St. Louis, Mo."

It was alleged in the information that the article was adulterated, in that substances, to wit, cayenne pepper and ground rice, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for black pepper, which the said article purported solely to be.

On June 22, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$400.

W. M. JARDINE, *Secretary of Agriculture.*



**15184. Adulteration of figs. U. S. v. 30 Boxes of Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21742. I. S. No. 12904-x. S. No. W-2117.)**

On March 18, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 boxes of figs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Rosenberg Bros. & Co., from San Francisco, Calif., March 8, 1927, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sultan Brand California Extra Fancy White Figs Rosenberg Bros. and Co. California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On or about May 14, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15185. Adulteration of oranges. U. S. v. 1 Carload of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21915. I. S. No. 1825-x. S. No. C-5464.)**

On March 25, 1927, the United States attorney for the Western District of Kentucky, acting upon a report by an official of the State of Kentucky, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of oranges, at Louisville, Ky., alleging that the article had been shipped by F. N. Hicks, Tampa, Fla., on or about March 21, 1927, and transported from the State of Florida into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in part of decomposed fruit.

On March 25, 1927, F. N. Hicks, Tampa, Fla., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400; the terms of said bond requiring that the product be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15186. Adulteration of oranges. U. S. v. 1 Carload of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21765. I. S. No. 1846-x. S. No. C-5346.)**

On February 26, 1927, the United States attorney for the Western District of Kentucky, acting upon a report by an official of the State of Kentucky, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of oranges, at Louisville, Ky., alleging that the article had been shipped by the American Fruit Growers Assn., Weirsdale, Fla., on or about February 11, 1927, and transported from the State of Florida into the State of Kentucky, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraph 6, under food, in that it had been subjected to excessive drying.

On or about February 28, 1927, Rousavall & Holloway, Louisville, Ky., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, the terms of said bond requiring that the product be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15187. Misbranding of evaporated apples. U. S. v. Gilbert Apple Products Co., Inc. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 19698. I. S. Nos. 13841-v, 17251-v, 17254-v, 17257-v, 17259-v, 17261-v.)**

On February 16, 1926, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Gilbert Apple Products Co., Inc., a corporation, Rochester, N. Y., alleging shipment by said company, in violation of the food and drugs act, between the approximate dates of November 21, 1924, and January 27, 1925, from the State of New York, in various lots, into the States of Virginia and New Jersey and the District of Columbia, respectively, of quantities of evaporated apples which were misbranded. The article was labeled in part: "Monroe Brand" (or "Bake Rite Brand" or "Cook Well Brand") "New York State Evaporated Apples Packed By Gilbert Apple Products Co. Inc. Rochester, N. Y."

Misbranding of the article was alleged in the information for the reason that the statement "Evaporated Apples," borne on the label, was false and misleading in that the said statement represented that the article consisted wholly of evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated apples, whereas it did not so consist, but did consist in part of excessive water.

On March 10, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15188. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 21954. I. S. No. 12957-x. S. No. W-2154.)**

On May 19, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 360 boxes of grapefruit, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Weirsdale Packing Co., Weirsdale, Fla., May 3, 1927, and transported from the State of Florida into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Grapefruit \* \* \* Suncrest Brand Blue Goose A F G Packed By Weirsdale Packing Co. Weirsdale, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On or about May 31, 1927, by consent of the claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15189. Misbranding of oleomargarine. U. S. v. 100 Cases and 600 Cases of Oleomargarine. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21948. I. S. Nos. 17278-x, 17279-x. S. No. W-2155.)**

On June 7, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 700 cases of oleomargarine, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Troco Mfg. Co., from Chicago, Ill., May 13, 1927, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (carton) "Troco Oleomargarine \* \* \* Troco Company Chicago," (inside wrapper) "Ingredients Coconut Fat 74.00% Peanut Fat 07.00% Milk Solids 02.50% Salt 02.50% Moisture 14.00%."

It was alleged in substance in the libel that the article was deficient in fat and contained excessive moisture and was misbranded, in that the statements, "Ingredients Coconut Fat 74.00% Peanut Fat 07.00% Moisture 14.00%," were false and misleading and deceived and misled the purchaser.

On or about June 15, 1927, the Troco Company, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of



a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15190. Adulteration and misbranding of cottonseed meal. U. S. v. 40 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 21500. I. S. No. 15219-x. S. No. W-2067.)**

On December 27, 1926, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 40 sacks of cottonseed meal, remaining unsold in the original packages at Nara Visa, N. Mex., alleging that the article had been shipped by the Chillicothe Cotton Oil Co., Chillicothe, Tex., December 13, 1926, and transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "43 Per Cent Protein Cottonseed Meal, Prime Quality."

Misbranding of the article was alleged in substance in the libel for the reason that the statements, to wit, "43 Per Cent Protein Cottonseed Meal," borne on the label, were false and misleading and intended to deceive and did deceive the purchaser.

Adulteration was alleged for the reason that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed meal which the said article purported to be.

On May 6, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15191. Adulteration of tomato paste. U. S. v. 51 Cases of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21534. I. S. No. 12475-x. S. No. C-5308.)**

On January 15, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 51 cases of tomato paste, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by John S. Mitchell, from Sharpville, Ind., November 22, 1926, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Liberty Bell Brand Concentrated Tomato Concentrato Di Pomodoro \* \* \* Packed Expressly For R. Gerber & Co. Chicago."

It was alleged in substance in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 10, 1927, John S. Mitchell, Inc., Sharpville, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15192. Adulteration of oranges. U. S. v. 1 Freight Car of Oranges in Bulk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21892. I. S. No. 11679-x. S. No. C-5457.)**

On or about April 6, 1927, the United States attorney for the Middle District of Tennessee, acting upon a report by an official of the State of Tennessee, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 freight car of oranges in bulk, at Nashville, Tenn., alleging that the article had been shipped by the Florida Citrus Exchange, Tampa, Fla., from Lake Hamilton, Fla., on or about April 1, 1927, and transported from the State of Florida into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed material.

On April 8, 1927, C. P. Cooney, Nashville, Tenn., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department and the unfit portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15193. Adulteration of oranges. U. S. v. 372 Boxes of Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21894. I. S. No. 12495-x. S. No. C-5461.)**

On April 20, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 372 boxes of oranges, remaining unsold in the original packages at Cincinnati, Ohio, consigned by the West Coast Fruit Co., Clearwater, Fla., about April 16, 1927, alleging that the article had been shipped in interstate commerce from Clearwater into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (box) "OKE Brand West Coast Fruit Co. Shippers of Grape Fruit and Oranges Clearwater, Florida," (tissue wrapper) "West Coast Fruit Co., Clearwater, Florida."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 22, 1927, the West Coast Fruit Co., Clearwater, Fla., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15194. Adulteration of oranges. U. S. v. 398 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21893. I. S. No. 12494-x. S. No. C-5458.)**

On April 19, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 398 boxes of oranges, remaining unsold in the original packages at Cincinnati, Ohio, consigned by the Gentile Bros. Co., Brooksville, Fla., about April 15, 1927, alleging that the article had been shipped from Brooksville, Fla., in interstate commerce into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (box) "Pals Oranges and Grapefruit \* \* \* Gentile Bros. Co. Shippers Orlando, Fla.," (tissue wrapper) "Diamond G Trade Mark G Gentile Bros. Co., Orlando, Fla."

Examination of the article by this department showed that it consisted wholly or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 22, 1927, the Joseph Gentile Co., Cincinnati, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*



**15195. Misbranding and alleged adulteration of vinegar. U. S. v. 25 Barrels of Vinegar. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 15738. I. S. No. 3578-t. S. No. C-3372.)**

On December 17, 1921, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 barrels of vinegar, remaining in the original unbroken packages at Superior, Wis., alleging that the article had been shipped by the Douglas Packing Co., from Canastota, N. Y., on or about November 9, 1921, and transported from the State of New York into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Apple Cider Vinegar Made from Selected Apples \* \* \* Rochester, N. Y."

It was alleged in substance in the libel that the article had been adulterated in violation of said act, in that an evaporated and dried apple product had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, to wit, "Apple Cider Vinegar Made from Selected Apples," was false and misleading and calculated to deceive and mislead purchasers thereof, in that the said statement represented that the article was made from selected apples and was apple cider vinegar, whereas it was not. Misbranding was alleged for the further reason that the article was offered for sale and sold under the name of another article.

On December 15, 1924, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the property, judgment of the court was entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15196. Adulteration and misbranding of powdered mace. U. S. v. 100 Pounds of Powdered Mace. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 21464. I. S. No. 12548-x. S. No. W-2058.)**

On December 15, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 pounds of powdered mace, remaining in the original unbroken packages at Denver, Colo., consigned by the Biston Coffee Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about November 27, 1926, and transported from the State of Missouri into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "From Biston Coffee Co., St. Louis Mo. \* \* \*, Mace."

It was alleged in the libel that the article was adulterated, in that certain substances, to wit, cornstarch, turmeric, a capsicum (apparently paprika), a small amount of nutmeg, and a trace of finely ground rice, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Mace" was false and misleading and deceived and misled the purchaser thereof. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 11, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15197. Adulteration of marjoram. U. S. v. 49 Pounds of Marjoram. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21504. I. S. No. 16505-x. S. No. E-5922.)**

On or about December 29, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 49 pounds of marjoram, at Passaic, N. J., alleging that the article had been shipped by Armour & Co., Chicago, Ill., on or about October 18, 1926, and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that dirt and sand had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

On May 28, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15198. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter.** Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21873. I. S. No. 14920-x. S. No. E-6095.)

On April 15, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Universal Car Loading & Distributing Co., Chicago, Ill., April 12, 1927, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was sold under the distinctive name of another article, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 26, 1927, the Fairbank Farmers Creamery Co., Fairbank, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be reworked and reprocessed to contain at least 80 per cent of butterfat, and marked to show the quantity of the contents of the package.

W. M. JARDINE, *Secretary of Agriculture.*

**15199. Alleged adulteration of oranges. U. S. v. 315 Boxes of Oranges.** Tried to the court. Libel dismissed. (F. & D. No. 21808. I. S. No. 16410-x. S. No. E-6072.)

On or about March 29, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 315 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned March 26, 1927, alleging that the article had been shipped by Chase & Co., Dunedin, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 6, 1927, the case came on for trial before the court. After the submission of evidence and arguments by counsel, the court handed down the following opinion dismissing the information (Morton, J.):

"I think I will, after all, dispose of the case now, while everybody is here.

"As to the question of fact which is involved, it is this: What was the condition, the actual condition, of this car-load of some 300 odd boxes of oranges? As the sampling which is relied upon in the forfeiture proceedings consists of two oranges taken from each of 50 boxes—that is 100 oranges—out of the 300 odd boxes, I think it is a sampling which would hardly be regarded as a sufficient sampling to deal with the shipment as between buyer and seller, and I think it is rather insufficient sampling to deal with the matter on a forfeiture proceeding.



"Then there were some samples taken—a very small number too—56 oranges were taken on behalf of the owner of the shipment. Those were taken by Mr. Nevins, who was more or less interested—he said not greatly interested—but representing the owners of the oranges—they certainly did have more or less commercial interest. On those the gentlemen in the fruit business said they found them fit for commercial shipment in general.

"At the eleventh hour Mr. Steinbauer comes in, and knows more about it than anybody who has testified. He is a Government inspector. He went over 800 of these oranges, taking ten half-boxes, and going right through each half-box. I think that is altogether the best evidence there is as to the character of this shipment. If you take his statement, the boxes differ very much. Some were certainly good, and some ran pretty bad. But I don't think that on his testimony the shipment itself is so defective that you can say that the car-load as a whole is subject to forfeiture, and on that ground I dismiss the information.

"And I find it unnecessary to pass upon the question of law; but I should perhaps say that I am glad I do not have to pass upon that question, because I think it extremely doubtful whether that statute in fact gives the Department authority to forfeit for a defect of this sort. It is a matter in which as one of the public my sympathy is with Dr. Adams and his officials, but I think the word 'decomposed' is a word that is hardly met by a change in condition caused by frost bites; but there is however an opportunity for a difference of opinion on that, because undoubtedly the chemical contents of the oranges change by frost bite. But that I find it unnecessary to decide."

W. M. JARDINE, *Secretary of Agriculture.*

**15200. Adulteration of oysters. U. S. v. James W. Nelson and Sherwood L. Ford (Ford Oyster & Crab Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 21607. I. S. No. 11782-x.)**

On June 1, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James W. Nelson and Sherwood L. Ford, copartners, trading as the Ford Oyster & Crab Co., Crisfield, Md., alleging shipment by said defendants, in violation of the food and drugs act, on or about March 3, 1927, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

It was alleged in the information that the article was adulterated, in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance, to wit, water, had been substituted in part for oysters, which the article purported to be, and in that a valuable constituent, oyster solids, had been in part abstracted from the said article.

On June 17, 1927, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$25 and costs.

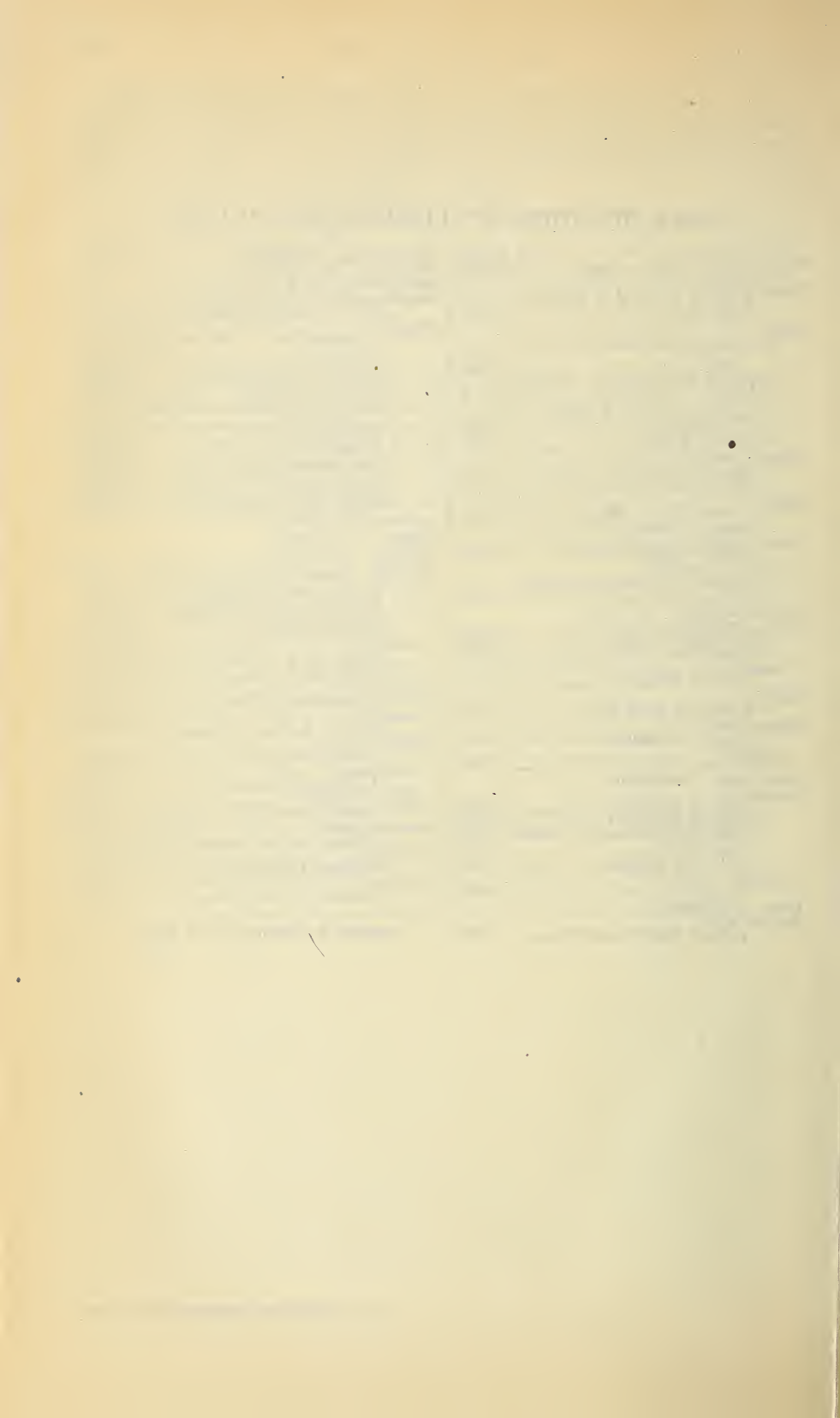
W. M. JARDINE, *Secretary of Agriculture.*

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1 Contains an opinion of the court.





## United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15201-15250

[Approved by the Secretary of Agriculture, Washington, D. C., December 14, 1927]

**15201. Adulteration of canned stringless beans. U. S. v. 200 Cases of Canned Stringless Beans, and 185 Cases of String Beans. Default decrees of condemnation, forfeiture, and destruction entered.** (F. & D. Nos. 20646, 20651. I. S. Nos. 4245-x, 4247-x. S. Nos. C-4877, C-4881.)

On November 24, 1925, the United States attorney for the Western District of Oklahoma, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 200 cases of canned stringless beans, and 185 cases of string beans, remaining in the original unbroken packages at Altus and Clinton, Okla., respectively, consigned by the Litteral Canning Co., Fayetteville, Ark., alleging that the article had been shipped from Fayetteville, Ark., in part on or about September 15, 1925, and in part on or about September 23, 1925, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Licano (or "Our Favorite Brand") Cut Stringless Beans \* \* \* Packed by Litteral Canning Company, Fayetteville, Ark."

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 17, and October 18, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15202. Adulteration of canned string beans. U. S. v. 145 Cases of Canned String Beans. Default decree of forfeiture and destruction entered.** (F. & D. No. 20647. I. S. No. 4246-x. S. No. C-4878.)

On November 24, 1925, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 145 cases of canned string beans, remaining in the original unbroken packages at Frederick, Okla., consigned by Appleby Bros., Fayetteville, Ark., alleging that the article had been shipped from Fayetteville, Ark., on or about September 23, 1925, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled, in part: "Zat Zit Brand Cut String Beans \* \* \* Packed by Appleby Bros., Fayetteville, Ark."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 18, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*



**15203. Adulteration of canned stringless beans. U. S. v. 290 Cases of Stringless Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20645. I. S. No. 4244-x. S. No. C-4876.)**

On November 24, 1925, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 290 cases of canned stringless beans, remaining in the original unbroken packages at Lawton, Okla., alleging that the article had been shipped from Washburn, Mo., on or about August 18, 1925, and transported from the State of Missouri into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled, in part: (can) "Rush Brand Stringless Beans \* \* \* Packed by Rush Canning Company, Washburn, Mo."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 18, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15204. Misbranding of tankage and meat scrap. U. S. v. 100 Sacks of Digester Tankage, et al. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 21658, 21659, 21660, 21661. I. S. Nos. 9366-x, 9367-x. S. No. C-5328.)**

On or about February 26, and March 3, 1927, respectively, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 115 sacks of tankage and 27 sacks of meat scrap, remaining in the original unbroken packages, in part at Galveston, Ind., and in part at Camden, Ind., alleging that the articles had been shipped by the Packer Products Co., Chicago, Ill., October 23, 1926, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the food and drugs act. The tankage was labeled in part: "Porker Brand \* \* \* digester tankage \* \* \* crude protein 60 per cent, Packer Products Company, Chicago, Ill., not less than 6.0 per cent crude fat." The meat scrap was labeled in part: "50 per cent protein Meat Scrap Analysis protein 50 per cent Packer Products Company, Chicago."

It was alleged in the libels that the articles were misbranded, in that the statements, "crude protein 60 per cent \* \* \* not less than 6.0 per cent crude fat," with respect to the tankage, and "protein 50 per cent," with respect to the meat scrap, were false and misleading and deceived and misled the purchaser.

On April 11, and April 12, 1927, respectively, the Urmston Grain & Seed Co., Camden, Ind., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond totaling \$1,000, conditioned in part that they not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15205. Adulteration of grapefruit. U. S. v. 16 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21841. I. S. No. 14554-x. S. No. E-6076.)**

On March 31, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 boxes of grapefruit, remaining in the original unbroken packages at Springfield, Mass., consigned about March 9, 1927, alleging that the article had been shipped by W. H. Mouser & Co., Sparlin, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

During the month of May, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15206. Adulteration of oranges. U. S. v. 336 Boxes of Oranges. Product ordered destroyed. (F. & D. No. 21835. I. S. No. 16409-x. S. No. E-6075.)**

On March 26, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 336 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned March 16, 1927, alleging that the article had been shipped by the Weirsdale Packing Co., Weirsdale, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 7, 1927, a warrant to destroy the product was issued on oral order of the court.

W. M. JARDINE, *Secretary of Agriculture.*

**15207. Misbranding and alleged adulteration of vinegar. U. S. v. 17 Barrels of Vinegar. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 19383. I. S. No. 16889-v. S. No. E-5042.)**

On December 22, 1924, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on January 8, 1925, an amendment to the said libel, praying seizure and condemnation of 17 barrels of vinegar, at Burlington, Vt., consigned by L. C. Forman & Sons, Inc., Canastota, N. Y., about September 18, 1924, alleging that the article had been shipped from the State of New York into the State of Vermont, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the act, and was misbranded, in that it was labeled "Pure Apple Cider Vinegar Reduced to 4 Per Centum, Manufactured by L. C. Forman & Sons, Inc., Pittsford, N. Y.," when in fact the said vinegar contained evaporated apple products vinegar.

On February 4, 1927, L. C. Forman & Sons, Inc., Pittsford, N. Y., having appeared as claimant for the property, a decree was entered adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15208. Misbranding of dairy feed. U. S. v. 220 Packages of Dairy Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21037. I. S. No. 8904-x. S. No. C-5081.)**

On April 29, 1926, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 220 packages of dairy feed, remaining in the original unbroken packages at Waunakee, Wis., alleging that the article had been shipped by the Iowa Milling Co., Cedar Rapids, Iowa, on or about February 27, 1926, and transported from the State of Iowa into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Iowa Dairy Feed Manufactured by Iowa Milling Co., Cedar Rapids, Iowa. Protein 16%, Fat 4.5%, Fiber 12.5%."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 16%," borne on the label, was false and misleading and deceived and misled purchasers, since the said article did not contain 16 per cent of protein.



On February 17, 1927, George Stehr, Waunakee, Wis., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled by striking out the words "Protein 16%," appearing on the label.

W. M. JARDINE, *Secretary of Agriculture.*

**15209. Misbranding of horse and mule feed. U. S. v. 100 Sacks, et al., of Horse and Mule Feed. Default decrees of condemnation, forfeiture, and sale. (F. & D. Nos. 21339, 21343. I. S. Nos. 6543-x, 6547-x. S. No. E-5882.)**

On October 21, and October 28, 1926, respectively, the United States attorney for the Western District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 172 sacks of horse and mule feed, remaining in the original unbroken packages at Gastonia, N. C., alleging that the article had been shipped by the Nixon Grain & Elevator Co., from Augusta, Ga., on or about September 20, 1926, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "Horse and Mule Feed Nixon Grain & Elevator Co. Augusta, Ga. Guaranteed Analysis Protein 10%—Fat 2%." The remainder of the said article was labeled in part: "Dakota Horse and Mule Feed \* \* \* Manufactured by Nixon Grain & Elevator Co., Augusta, Ga. Guaranteed Analysis Protein 10%."

It was alleged in the libels that the article was misbranded, in that the statements, "Guaranteed Analysis Protein 10%—Fat 2%," with respect to a portion of the product, and "Guaranteed Analysis Protein 10%," with respect to the remainder thereof, were false and misleading and deceived and misled the purchaser.

On January 6, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold, without guaranty or brand, by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15210. Adulteration of apple chops. U. S. v. 200 Sacks of Apple Chops. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21295. I. S. No. 1858-x. S. No. C-5238.)**

On September 17, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 sacks of apple chops, at Orrville, Ohio, alleging that the article had been shipped by the John H. Leslie Co., Chicago, Ill., on or about July 22, 1926, and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that an analysis of a sample of the article showed the presence of arsenic, and that it was adulterated, in that it contained an added poisonous ingredient which might have rendered it injurious to health.

On October 1, 1926, the J. M. Smucker Co., Orrville, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reconditioned in compliance with the requirements of the Federal food and drugs act.

W. M. JARDINE, *Secretary of Agriculture.*

**15211. Misbranding of assorted jellies. U. S. v. 51 Cases of Assorted Jellies. Decree of condemnation and forfeiture entered. Product ordered released under bond. (F. & D. No. 21792. I. S. Nos. 4787-x, 4788-x, 4789-x, 4790-x. S. No. C-5421.)**

On April 4, 1927, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 51 cases of assorted jellies, at Tulsa, Okla., alleging that the

articles had been shipped by the Best-Clymer Co., St. Louis, Mo., on or about July 24, 1926, and transported from the State of Missouri into the State of Oklahoma, and charging violation of the food and drugs act. The articles were labeled in part: (jars) "Tentor Brand Pure Apple (or other fruit) Jelly \* \* \* The Best-Clymer Company, St. Louis, Mo."

It was alleged in substance in the libel that the articles violated subsection 2, with reference to food, of section 7 of said act, in that they were labeled "Pure Jelly," when, in truth and in fact, pectin and tartaric acid had been substituted wholly or in part for the said articles.

On June 2, 1927, the Best-Clymer Co. having appeared as claimant for the property, and having admitted that the products were misbranded, and having paid the costs of the proceedings, a decree was entered ordering that the products be released to the said claimant upon the execution of a bond in the sum of \$500, conditioned in part that the jellies not be sold or otherwise disposed of contrary to the Federal food and drugs act.

W. M. JARDINE, *Secretary of Agriculture.*

**15212. Adulteration and misbranding of cottonseed meal. U. S. v. 175 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21528. I. S. No. 13534-x. S. No. E-5933.)**

On January 13, 1927, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 175 sacks of cottonseed meal, remaining in the original unbroken packages at Penrose, N. C., alleging that the article had been shipped by the Grenco Oil Co., from Greenwood, S. C., on or about October 29, 1926, and transported from the State of South Carolina into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Grenco 36% Protein Cotton Seed Meal, Prime Quality Manufactured by Grenco Oil Company, Greenwood, S. C. Guaranteed Analysis: Protein 36.00 per cent, \* \* \* Crude Fibre 14.00 per cent."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in protein and containing excessive fiber had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Prime Quality 36% Protein Cotton Seed Meal Guaranteed Analysis Protein 36.00 per cent \* \* \* Crude Fibre 14.00 per cent," borne on the label, were false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

During the month of February, 1927, the Grenco Oil Co., Greenwood, S. C., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be released to the said claimant upon the execution of a good and sufficient bond, and it was further ordered that the product be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15213. Misbranding of ham. U. S. v. Peyton Packing Co. Plea of guilty. Fine, \$25. (F. & D. No. 17529. I. S. No. 7967-v.)**

On September 20, 1923, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Peyton Packing Co., a corporation, El Paso, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about November 23, 1922, from the State of Texas into the State of Arizona, of a quantity of hams, which were misbranded. The article was labeled in part: "Circle Star Brand \* \* \* Ham. Peyton Packing Company, El Paso, Texas," (rubber stamped) "Net Weight When Wrapped ----Lbs. ----Ozs."

It was alleged in the information that the article was misbranded, in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*



**15214. Misbranding of cottonseed meal. U. S. v. 180 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21092. I. S. No. 4089-x. S. No. C-5152.)**

On May 26, 1926, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 180 sacks of cottonseed meal, remaining in the original unbroken packages at Amite, La., alleging that the article had been shipped by the Hazelhurst Oil Mill & Fertilizer Co., Hazelhurst, Miss., on or about April 29, 1926, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cottonseed Meal Manufactured by Hazelhurst Oil Mill & Fer. Co., Hazelhurst, Mississippi, Guaranteed Analysis \* \* \* Protein or Albuminoids 41.15%."

It was alleged in the libel that the article was deficient in protein, and was misbranded, in that the statement "Protein or Albuminoids 41.15%," borne on the label, was false and misleading and deceived and misled the purchaser.

On July 8, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15215. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21846. I. S. No. 16519-x. S. No. E-6085.)**

On March 30, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Red Wing Creamery from Red Wing, Minn., on or about March 17, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reasons that the article was offered for sale under the distinctive name of another article, and that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 15, 1927, the Red Wing Creamery Co., Red Wing, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$360, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat, and be marked to show the true quantity of the contents.

W. M. JARDINE, *Secretary of Agriculture.*

**15216. Adulteration and misbranding of coffee. U. S. v. 10 Cans of Coffee. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21020. I. S. No. 9833-x. S. No. C-5070.)**

On April 14, 1926, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cans of coffee, remaining in the original unbroken packages at San Augustine, Tex., alleging that the article had been shipped by the Cuban Coffee Mills, Shreveport, La., on or about March 11, 1926, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (cases) "Cuban S. P. B. Blend," (cans) "Packed by Cuban Coffee Mills, Shreveport, La."

Adulteration of the article was alleged in the libel for the reason that a substance, chicory, had been mixed and packed therewith so as to reduce and lower

and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "S. P. B. Blend" was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On September 7, 1926, the Cuban Coffee Mills, Shreveport, La., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15217. Adulteration and misbranding of mixed frozen eggs. U. S. v. 344 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21840. I. S. No. 19351-x. S. No. C-5454.)**

On April 16, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 344 cans of mixed frozen eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Wichita Ice & Cold Storage Co., from Wichita, Kans., in part February 26, 1927, and in part February 27, 1927, and transported from the State of Kansas into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 23, 1927, Armour & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that the decomposed portion be removed therefrom under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15218. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20836. I. S. No. 3825-x. S. No. W-1661.)**

On February 11, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Swink, Colo., consigned by the Planters Cottonseed Products Co., Dallas, Tex., alleging that the article had been shipped from Dallas, Tex., on or about January 28, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Texoma Brand Primer Cottonseed Cake and Meal \* \* \* Guaranteed Analysis Protein not less than 43%. Texas Cake and Linter Company, Dallas, Texas."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis Protein not less than 43%" was false and misleading and deceived and misled the purchaser, since the said article did not contain 43 per cent of protein.

On July 6, 1927, the Planters Cottonseed Products Co., Dallas, Texas, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$550, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*



**15219. Adulteration of mixed frozen eggs and egg whites. U. S. v. 463 Cans of Mixed Frozen Eggs, and 18 Cans of Egg Whites. Decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 21155. I. S. Nos. 1505-x, 1509-x, 1510-x. No. C-5181.)**

On or about July 2, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 463 cans of mixed frozen eggs, and 18 cans of egg whites, remaining in the original unbroken packages at Detroit, Mich., alleging that the articles had been shipped by the Great Lakes Bakers Supply Co., from Cleveland, Ohio, in various consignments, March 29, April 19, and May 20, 1926, respectively, and transported from the State of Ohio into the State of Michigan, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: "Packed by Great Lakes Bakers Supply Co., Cleveland, Ohio."

It was alleged in the libel that the articles were adulterated, in that they consisted in whole or in part of filthy, decomposed, or putrid animal substances.

On November 30, 1926, the Great Lakes Bakers Supply Co., Cleveland, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered, finding that the products should be condemned and forfeited, and it was ordered by the court that the said products be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that they not be sold or otherwise disposed of contrary to law. It was further ordered by the court that the products be examined and analyzed by a representative of this department with a view of determining what portion, if any, should be destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**15220. Misbranding of oranges. U. S. v. Frank B. Lester, John C. Lester, and Irving Lester (Royal Fruit Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 21549. I. S. Nos. 6522-x, 6523-x.)**

On November 15, 1926, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank B. Lester, John C. Lester, and Irving Lester, trading as the Royal Fruit Co., New York, N. Y., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about August 22, 1925, from the State of New York into the State of Georgia, of a quantity of oranges which were misbranded. A portion of the article was labeled in part: "216 (or "252" or "288") Albion Brand Placentia Mutual Orange Assn. California." The remainder of the said article was labeled in part: "288 Cambria Brand Grown and Packed Placentia Mutual Orange Assn. Placentia, California."

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "216," "252," or "288," as the case might be, borne on the boxes containing the said article, were false and misleading, in that the said statements represented that the boxes each contained the number of oranges declared on the label, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said boxes each contained the number of oranges declared on the label, whereas the boxes did not contain the declared number of oranges, but in each instance contained more than so declared. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count.

On June 14, 1927, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

**15221. Adulteration of canned salmon. U. S. v. 206 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21825. I. S. No. 11936-x. S. No. C-5449.)**

On April 12, 1927, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 206 cases of canned salmon, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by Norton, Lilly & Co., Locust Point, Md., on or about November 28, 1924, and

transported from the State of Maryland into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Deep Sea Red Alaska Sockeye Salmon \* \* \* Frank B. Peterson Co. Agts. San Francisco, Cal. Packed by Red Salmon Canning Co."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On May 21, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15222. Adulteration of butter. U. S. v. 448 Pounds of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21823. I. S. No. 3519-x. S. No. C-5419.)

On March 18, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 448 pounds of butter, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Central Creamery Co., from De Smet, S. Dak., March 7, 1927, and transported from the State of South Dakota into the State of Minnesota, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, or lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

On March 21, 1927, the Minnesota Creamery & Produce Co., St. Paul, Minn., having appeared as claimant for the property, and having consented to the condemnation and forfeiture of the product, a decree was entered finding the allegations of the libel to be true and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that it be reworked under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15223. Misbranding of sweet potatoes. U. S. v. Joseph W. C. Bell, Jr. Plea of guilty. Fine, \$10.** (F. & D. No. 19640. I. S. No. 20372-v.)

On August 10, 1925, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. C. Bell, Jr., Nashville, Ark., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about January 1, 1925, from the State of Arkansas into the State of California, of a quantity of sweet potatoes which were misbranded. The article was labeled in part: "Bell Brand Sweet Potatoes J. W. C. Bell, Jr. Distributor, Nashville, Ark."

Misbranding of the article was alleged in the libel for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 13, 1926, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10.

W. M. JARDINE, *Secretary of Agriculture.*

**15224. Adulteration and misbranding of butter. U. S. v. 36 Boxes of Print Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21966. I. S. Nos. 14327-x, 14329-x, 14331-x. S. No. C-5481.)

On June 8, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 36 30-pound boxes of print butter, at Cincinnati, Ohio, alleging that the article had been shipped by the Orchard Knoll Creamery Co., Moores Hill, Ind., in various lots, on May 31, and June 1, 3, and 6, 1927, respectively, and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the food and drugs act. The article was labeled variously: (wrapper) "Golden Rod Extra Quality Fancy Creamery Butter One Pound," "Golden Rod Extra Quality Fancy Creamery Butter Eight Ounces Net," "Springdale Extra Quality Fancy Creamery Butter One Pound."



It was alleged in the libel that the article was misbranded in violation of section 8 of the act, paragraphs 2, 3, and 4, in that it was under weight.

On June 10, 1927, the Orchard Knoll Farm Creamery, Moores Hill, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and misbranded and ordering its condemnation, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15225. Adulteration of dill pickles. U. S. v. 8 Cases of Dill Pickles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21234. I. S. No. 2593-x. S. No. C-5203.)**

On August 12, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of dill pickles, remaining in the original unbroken packages at Kansas City, Mo., consigned by the Yira Pickling Co., Grantsburg, Wis., June 30, 1926, alleging that the article had been shipped from Grantsburg, Wis., and transported from the State of Wisconsin into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (cans) "Delicious Dills \* \* \* Manufactured by Yira Pickling Company, Grantsburg, Wis."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 29, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15226. Adulteration and misbranding of mineral water. U. S. v. 6 Cases of Buckhorn Mineral Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20910. I. S. No. 9632-x. S. No. E-5660.)**

On March 9, 1926, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of Buckhorn Mineral Water, remaining in the original unbroken packages at Danville, Va., alleging that the article had been shipped by the Buckhorn Bottling Co., from Bullock, N. C., November 23, 1925, and transported from the State of North Carolina into the State of Virginia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Buckhorn Mineral Water \* \* \* Bullock, N. C."

It was alleged in the libel that the article was polluted and adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 13, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15227. Adulteration of shell eggs. U. S. v. Austin F. Hockman (Hecla Poultry Farm). Plea of guilty. Fine, \$100. (F. & D. No. 19792. I. S. Nos. 8194-x, 8195-x.)**

At the October, 1926, term of the United States District Court within and for the Middle District of Pennsylvania, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against Austin F. Hockman, trading as the Hecla Poultry Farm, Bellefonte, Pa., alleging shipment by said defendant, in violation of the food and drugs act, in two consignments, on or about April 23 and 24, 1926, respectively, from the State of Pennsylvania into the State of New York, of quantities of shell eggs which were adulterated.

It was alleged in the information that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 6, 1926, the defendant entered a plea of guilty to the information and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

**15228. Misbranding and alleged adulteration of feed barley. U. S. v. 26 Sacks of Feed Barley. Consent decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 18793. I. S. No. 12702-v. S. No. E-4869.)**

On June 19, 1924, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a district court, a libel praying seizure and condemnation of 26 sacks of feed barley, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being sold and offered for sale in the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ajax Ground Feed Barley Average Analysis Protein 11% \* \* \* Fibre 10% \* \* \* Manufactured By Cokato Milling Co., Minneapolis, Minn."

It was alleged in the libel that the article was adulterated in that it consisted of a mixture of ground barley, oats, wheat and weed seeds, which had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements, "Protein 11% \* \* \* Fibre 10%," "Ground Feed Barley," borne on the label, were false and misleading and deceived and misled the purchaser.

On July 26, 1924, W. S. Hoge & Bro., Washington, D. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$25 to secure that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15229. Adulteration and misbranding of feed. U. S. v. The Sturges Co. Plea of guilty. Fine, \$50. (F. & D. No. 19294. I. S. Nos. 18148-v, 18149-v, 18150-v.)**

On March 18, 1925, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sturges Co., a corporation, Meridian, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, on or about March 15, 1924, from the State of Mississippi into the State of Alabama, of quantities of feed, which was misbranded, and a portion of which was adulterated. The article was labeled, variously: "100 Pounds Bar-Nun Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss. \* \* \* Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal and Molasses," "100 Pounds Pronto Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss. \* \* \* Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal, Oat Meal Mill By-Products (Oat Hulls, Oat Dust, Rice Bran, Oat Shorts) and Molasses," and "100 Pounds Little Ben Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss."

It was alleged in the information that the "Bar-Nun" brand and the "Pronto" brand feed were adulterated, in that a substance containing no cottonseed meal, with respect to the former, and a substance devoid of rice bran and containing a negligible quantity of cottonseed meal, with respect to the latter, had been substituted for a horse and mule feed made from the ingredients declared on the label, which the article purported to be. Adulteration was alleged for the further reason that valuable constituents of the article, to wit, cottonseed meal, in the case of the "Bar-Nun" feed, and rice bran and cottonseed meal, with respect to the "Pronto" feed, had been abstracted from the article.

Misbranding was alleged for the reason that the statements, to wit, "100 Pounds Bar-Nun Horse and Mule Feed \* \* \* Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal and Molasses," "100 Pounds Pronto Horse and Mule Feed \* \* \* Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal,



Oat Meal Mill By-Products (Oat Hulls, Oat Dust, Rice Bran, Oat Shorts) and Molasses," "100 Pounds Little Ben Horse and Mule Feed," as the case might be, borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the sacks each contained 100 pounds of the article, that the "Bar-Nun" feed contained, among other ingredients, cottonseed meal, and that the "Pronto" feed was made from corn, oats, alfalfa meal, cottonseed meal, oat meal mill by-products (oat hulls, oat dust, rice bran, oat shorts) and molasses; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said sacks contained 100 pounds of the article, that the "Bar-Nun" feed contained, among other ingredients, cottonseed meal, and that the "Pronto" feed was made from corn, oats, alfalfa meal, cottonseed meal, oat meal mill by-products (oat hulls, oat dust, rice bran, oat shorts) and molasses; whereas each of said sacks did not contain 100 pounds of the article, but did contain a less amount, the "Bar-Nun" feed contained no cottonseed meal, and the "Pronto" feed was not composed of the declared ingredients, in that rice bran was absent, and cottonseed meal was present in so negligible an amount as not to be considered a constituent. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the sacks contained less than represented.

On September 20, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture*.

**15230. Adulteration and alleged misbranding of butter. U. S. v. 106 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21974. I. S. No. 19532-x. S. No. C-5483.)**

On June 28, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 106 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Portage Cooperative Creamery, from Portage, Wis., June 22, 1927, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On July 1, 1927, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of the court was entered, finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that the adulterated portion be reprocessed under the supervision of this department so as to contain not less than 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture*.

**15231. Adulteration of butter. U. S. v. 326 Boxes of Butter. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21975. I. S. Nos. 7684-x to 7689-x, incl. S. No. E-6115.)**

On June 27, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 326 boxes of butter, remaining in the original unbroken packages at Boston, Mass., consigned in part about June 3, 1927, and in part about June 10, 1927, alleging that the article had been shipped by the Meriden Creamery Co., Kansas City, Mo., and transported from the State of Missouri into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance containing less than 80 per cent by weight of milk fat had been substituted in

whole or in part for butter, which the said article purported to be, the act of Congress, approved March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On July 1, 1927, the Meriden Creamery Co., Kansas City, Mo., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, conditioned in part that it not be sold or otherwise disposed of contrary to law, and it was further ordered by the court that the said product be reworked under the supervision of this department so that it contain at least 80 per cent of milk fat.

W. M. JARDINE, *Secretary of Agriculture.*

**15232. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21989. I. S. No. 14797-x. S. No. 9.)**

On July 7, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Harpers Ferry Creamery Co., Harpers Ferry, W. Va., alleging that the article had been shipped from Harpers Ferry, W. Va., on or about July 5, 1927, and transported from the State of West Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Harpers Ferry Creamery, Harpers Ferry, West Va."

It was alleged in the libel that the article was adulterated, in that a substance containing less than 80 per cent of butterfat had been substituted wholly or in part for the article, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On July 13, 1927, Crawford & Lehman, Inc., Philadelphia, Pa., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15233. Adulteration of shell eggs. U. S. v. 10 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21976. I. S. No. 15591-x. S. No. C-5484.)**

On June 23, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of shell eggs, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by J. A. Montgomery, Inc., West Point, Miss., on or about June 21, 1927, and transported from the State of Mississippi into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From J. A. Montgomery, Inc., West Point, Miss."

It was alleged in the libel that the article was adulterated, in that part of the said eggs were rotten and decomposed.

On July 18, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15234. Adulteration and misbranding of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21987. I. S. No. 20551-x. S. No. 4.)**

On July 5, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 tubs of butter, at New York, N. Y., alleging that the article



had been shipped by the Redman Creamery Co., Hudson, Wis., on or about June 27, 1927, and transported from the State of Wisconsin into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reasons that the article was offered for sale under the distinctive name of another article, and that it was food in package form and the quantity of the contents was not plainly marked on the outside of the package.

On July 8, 1927, the Redman Creamery Co., Hudson, Wis., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$420, conditioned in part that it be reworked and reprocessed so as to contain not less than 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

**15235. Adulteration of canned salmon. U. S. v. 173 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18551. I. S. Nos. 4914-v, 19341-v. S. No. C-4244.)**

On April 14, 1924, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 173 cases of canned salmon, remaining unsold in the original packages at Henderson, Ky., consigned by Jones & Williams, Seattle, Wash., from New Orleans, La., November 19, 1923, alleging that the article had been shipped in interstate commerce from New Orleans, La., into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Fresh Breeze Brand Alaska Pink Salmon Packed By Hetta Packing Co. Sulzer Alaska."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed or putrid animal substance.

On July 8, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15236. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21874. I. S. No. 14918-x. S. No. E-6096.)**

On April 15, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmers Creamery Co., St. Cloud, Minn., April 12, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reasons that the article was offered for sale under the distinctive name of another article, and that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 21, 1927, the Farmers Creamery Co., St. Cloud, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum

of \$400, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat, and be marked to show the true quantity of the contents.

W. M. JARDINE, *Secretary of Agriculture.*

**15237. Adulteration of oysters. U. S. v. Thomas E. Jones (Thos. E. Jones & Co.). Plea of guilty. Fine, \$30 and costs. (F. & D. No. 21597. I. S. Nos. 7734-x, 13522-x, 13523-x.)**

On June 1, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas E. Jones, trading as Thos. E. Jones & Co., Cambridge, Md., alleging shipment by said defendant, in violation of the food and drugs act, on or about November 12, 1926, from the State of Maryland into the State of Maine, and on or about November 13, 1926, from the State of Maryland into the State of South Carolina, of quantities of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the said article purported to be.

On June 15, 1927, the defendant entered a plea of guilty to the information and the court imposed a fine of \$30 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15238. Adulteration of tomato catsup. U. S. v. 10 Cases and 112 Cases of Tomato Catsup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21791, 21923. I. S. Nos. 13357-x, 13377-x. S. Nos. E-6091, E-6136.)**

On April 2, and May 18, 1927, respectively, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 122 cases of tomato catsup, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Lancaster Vinegar Co., from Lancaster, Pa., in part on or about May 4, 1927 and in part on or about August 19, 1926, and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ransing Daisy Brand Tomato Catsup \* \* \* E. A. Ransing Sons Lancaster, Pa. L. V. Co."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 27, and July 7, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15239. Adulteration and misbranding of butter. U. S. v. Paul A. Schulze (Paul A. Schulze Co.). Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 19739. I. S. Nos. 14873-v, 4405-x, 4313-x, 5717-x, 5720-x.)**

On March 26, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Paul A. Schulze, trading as the Paul A. Schulze Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the food and drugs act, as amended, in various consignments, on or about April 17, 1925, from the State of Missouri into the State of Louisiana, on or about July 6 and 16, 1925, from the State of Missouri into the State of Illinois, and on or about August 8, 1925, from the State of Missouri into the State of Pennsylvania, of quantities of butter which was misbranded, and on or about August 15, 1925, from the State of Missouri into the State of Pennsylvania, of a quantity of butter which was adulterated. The article was labeled, variously, in part: (packages) "Jersey Belle Creamery Butter One Pound Net Weight \* \* \* Paul A. Schulze Co., St. Louis, Mo.," "Schulze Clover Springs Butter One Pound Net Quarters \* \* \* Manufactured by Paul A. Schulze Co., St. Louis, Mo.," "One Pound Net Mountain Grove Brand Fancy Creamery Butter \* \* \* Net Weight One Pound;" (wrapper) "Park View Farms Creamery Country Roll."



Misbranding of the "Jersey Belle" and the "Clover Springs" butter was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

Misbranding of a portion of the "Clover Springs" butter and the "Mountain Grove" butter was alleged for the reason that the statements, "Butter," "One Pound Net," with respect to the former, and "Butter," "One Pound Net," and "Net Weight One Pound," with respect to the latter, borne on the labels, were false and misleading in that the said statements represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923 (42 Stat. 1500), and that each of the packages contained 1 pound net of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, and that each of the said packages contained 1 pound net of butter, whereas it was a product which contained less than 80 per cent by weight of milk fat and each of said packages did not contain 1 pound of butter, but did contain a less amount.

Adulteration of the "Park View Farms" butter was alleged for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed, which the article purported to be.

On November 18, 1926, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

**15240. Misbranding of cottonseed cake screenings. U. S. v. 400 Sacks of Cottonseed Cake Screenings. Decree of condemnation entered. Product released under bond. (F. & D. No. 21392. I. S. No. 1769-x. S. No. C-5260.)**

On November 21, 1926, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed cake screenings, at Assaria, Kans., alleging that the article had been shipped by the Mutual Cottonseed Oil Mill from Ft. Worth, Tex., on or about November 8, 1926, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43 per cent Protein Cracked Cottonseed Cake Prime Quality, Manufactured by Mutual Cotton Seed Oil Mill, Fort Worth, Texas. Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis: Protein not less than 43 per cent" was false and misleading and deceived and misled the purchaser to believe that the article contained not less than 43 per cent of protein, when in truth and in fact it contained a less amount.

On December 17, 1926, the Mutual Cottonseed Oil Mill, Ft. Worth, Tex., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be rebranded to show the true contents.

W. M. JARDINE, *Secretary of Agriculture.*

**15241. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21968. I. S. No. 17310-x. S. No. W-2164.)**

On or about June 14, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Pike's Creamery, Bozeman, Mont., June 2, 1927, and transported from the State of Montana into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it was deficient in milk fat content.

On June 27, 1927, Pike's Creamery, Bozeman, Mont., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$225, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

**15242. Adulteration of canned cherries. U. S. v. 129 Cases, et al., of Gervas Brand Cherries. Decree of condemnation and forfeiture entered. Product released under bond.** (F. & D. Nos. 21669, 21670, 21671, 21672. I. S. Nos. 13893-x, 13894-x, 13895-x, 13896-x. S. No. C-5111.)

On or about March 1, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 423 cases of canned cherries, at Cincinnati, Ohio, consigned by the Gervas Canning Co., Fredonia, N. Y., about August 16, 1926, alleging that the article had been shipped in interstate commerce from Fredonia, N. Y., into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gervas Brand \* \* \* Pitted Red Sour Cherries. Packed By Gervas Canning Co., Fredonia, N. Y."

It was alleged in the libels that the article was adulterated, in that it contained worms and decayed cherries, and consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 21, 1927, the Gervas Canning Co., Fredonia, N. Y., having appeared as claimant for the property and having admitted the allegations of the libels, and the cases having been consolidated into one cause of action, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed or worm-infested fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15243. Adulteration of grapefruit. U. S. v. 169 Boxes of Grapefruit. Decree of condemnation, forfeiture, and destruction entered.** (F. & D. No. 21870. I. S. No. 14567-x. S. No. E-6077.)

On April 12, 1927, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 169 boxes of grapefruit, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Clearwater Citrus Co., Clearwater, Fla., on or about January 22, 1927, and transported from the State of Florida into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part "Oranges and Grapefruit, Jucifruit Brand Packed by Clearwater Citrus Co., Clearwater, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On May 26, 1927, the claimant for the property having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15244. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21908. I. S. No. 7513-x. S. No. E-6084.)

On or about March 2, 1927, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of oranges, at North Wilkesboro, N. C., alleging that the article had been shipped by J. W. Roweil, from Orlando, Fla., to Winston-Salem, N. C., on or about February 21, 1927, and had been transported from the State of Florida into the State of North Carolina, and charging adulteration in violation of the food and drugs act.



Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in substance in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance, and in that it was dried and decomposed so as to reduce, lower, and injuriously affect its quality and strength.

On March 17, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15245. Adulteration and alleged misbranding of butter. U. S. v. 71 Tubs of Butter. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21965. I. S. No. 15319-x. S. No. C-5478.)**

On June 3, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 71 tubs of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Sutherland Creamery Co., Sutherland, Iowa, on or about May 21, 1927, and transported from the State of Iowa into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraphs 1, 2, and 3, under food, and was misbranded in violation of section 8, of said act, paragraph 1, under food, in that it was short in butterfat, containing less than 80 per cent of butterfat. It was further alleged that the article was in violation of the act of March 4, 1923, which defined and provided a standard for butter, in that it was deficient in butterfat.

On June 8, 1927, S. Pfeifer & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered adjudging the product adulterated and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,900, conditioned in part that it not be sold or otherwise disposed of until it contained 80 per cent of butterfat and complied with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**15246. Adulteration of grapefruit. U. S. v. 336 Boxes and 324 Boxes of Grapefruit. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21855, 21861. I. S. Nos. 12492-x, 12493-x. S. Nos. C-5448, C-5450.)**

On April 5, 1927, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 660 boxes of grapefruit, remaining unsold in the original packages at Cincinnati, Ohio, consigned by the Lake Ariana Packing Co., Inc., Auburndale, Fla., about April 1, 1927, alleging that the article had been shipped in interstate commerce from Auburndale, Fla., and charging adulteration in violation of the food and drugs act. The article was labeled in part: (box) "Grown by The Vergon & Son Co., Winterhaven, \* \* \* Florida;" (tissue wrapper) "The Vergon & Son Co., Inc., \* \* \* Dela-Haven Brand \* \* \* Delaware, Ohio."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 9, 1927, Flesch Bros., Columbus, Ohio, having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$2,000, conditioned in part that it be salvaged under the supervision of this department by removing all decomposed fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

**15247. Adulteration of tomato puree. U. S. v. 46 Cases and 100 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 20698. I. S. Nos. 1856-x, 10242-x. S. No. C-4898.)

On December 8, 1925, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 146 cases of tomato puree, at Lima, Ohio, alleging that the article had been shipped by the Lapel Canning Co., Lapel, Ind., on or about October 10, 1925, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lapel Brand Tomato Puree \* \* \* Packed by Lapel Canning Co., Lapel, Indiana."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 28, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15248. Adulteration of canned shrimp. U. S. v. 12 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 21312. I. S. No. 13752-x. S. No. E-5873.)

On October 8, 1926, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 cases of canned shrimp, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by Wm. Gorenflo & Co., Brunswick, Ga., on or about December 14, 1925, and transported from the State of Georgia into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gorenflo Brand Fresh Shrimp Packed by Wm. Gorenflo & Company, Main Office: Biloxi, Miss."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 10, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15249. Adulteration of canned succotash. U. S. v. 33 Cases of Succotash. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 20662. I. S. No. 6962-x. S. No. E-5593.)

On December 3, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 cases of canned succotash, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Knoxboro Canning Co., Oriskany Falls, N. Y., on or about June 29, 1925, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Morning Light Brand Golden Succotash \* \* \* New Hartford Canning Co., New Hartford, N. Y., Distributors—Lee Canning Co. Rome, \* \* \* N. Y."

It was alleged in the libel that the article was adulterated, in that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article, in that a substance, saccharin, had been mixed therewith in a manner whereby damage or inferiority was concealed, and in that it contained an added poisonous or other added deleterious ingredient, saccharin, which might have rendered it injurious to health.

On December 28, 1926, the New Hartford Canning Co., Ltd., New Hartford, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it be reconditioned or otherwise changed or disposed of in compliance with all laws, Federal and State.

W. M. JARDINE, *Secretary of Agriculture.*



**15250. Misbranding and alleged adulteration of almond paste. U. S. v. 8 Cases of Almond Paste. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20820. I. S. No. 7175-x. S. No. E-5626.)**

On February 6, 1926, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of almond paste, remaining in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the American Almond Products Corp., Brooklyn, N. Y., on or about January 23, 1926, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (impressed in cake) "Pure Almond Paste," (stencil on box) "Pure Almond Paste \* \* \* Manufactured by American Almond Products Corp. \* \* \* Brooklyn, N. Y."

It was alleged in the libel that the article was adulterated, in that a substance, a kernel paste other than almond, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reasons that the statement on the label, to wit, "Pure Almond Paste," was false and misleading and deceived and misled the purchaser, and that it was offered for sale under the distinctive name of another article.

On March 18, 1926, the American Almond Products Corp., Brooklyn, N. Y., having appeared as claimant for the property, a decree was entered adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

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